



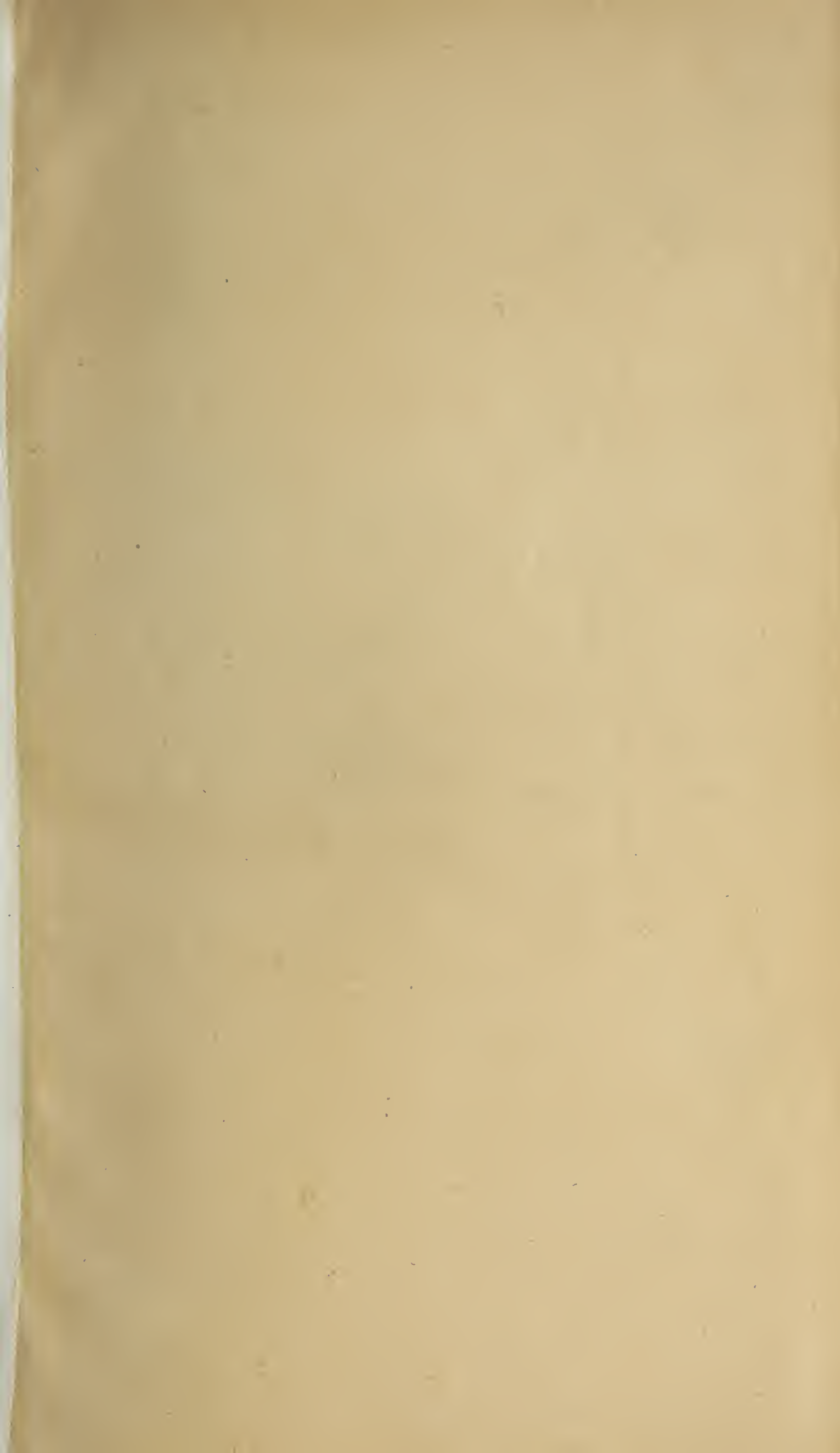
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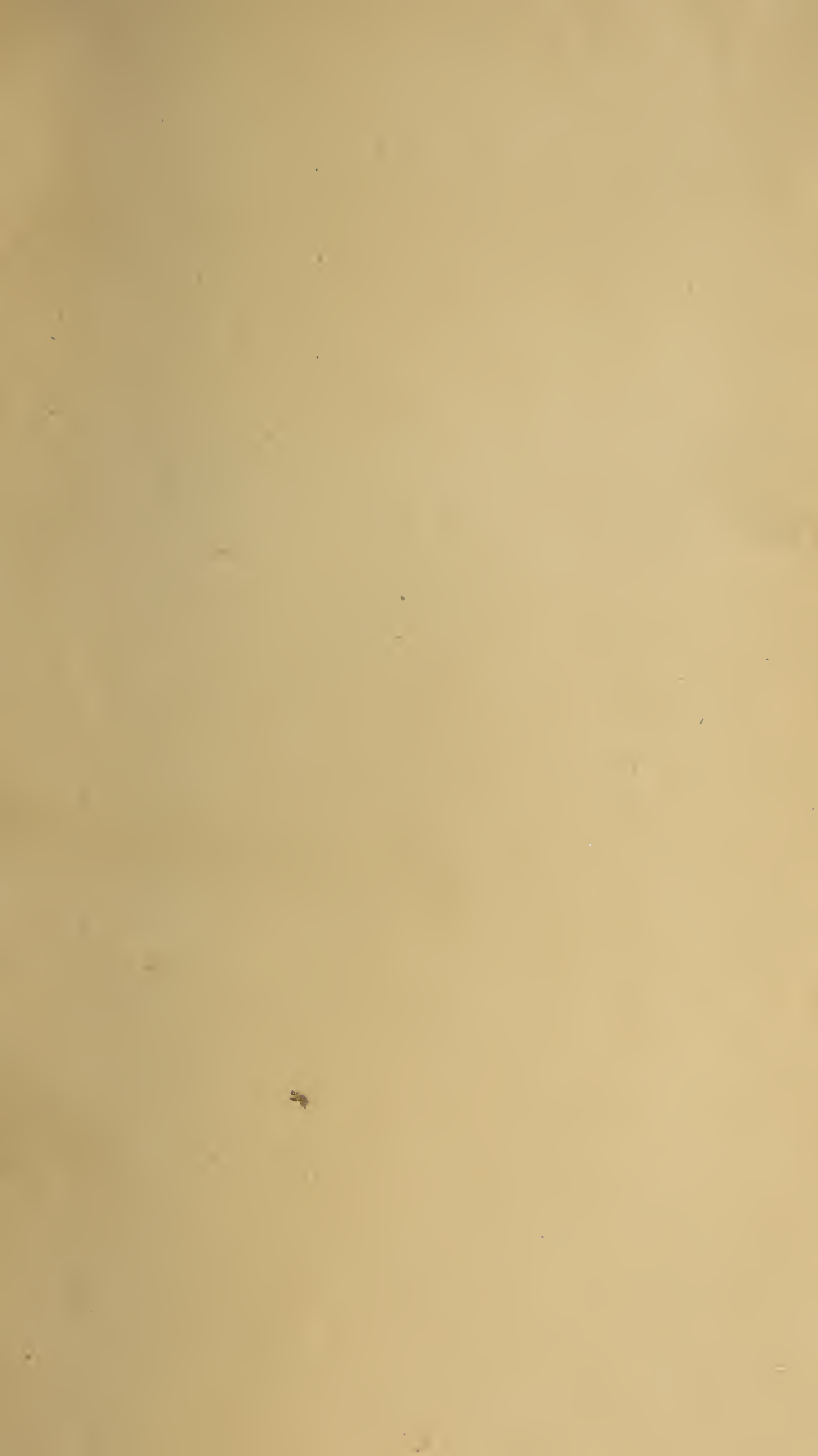
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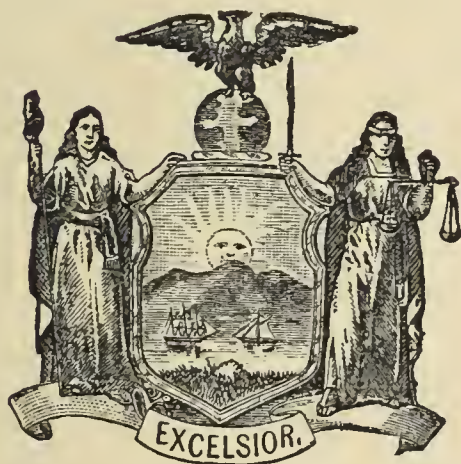
DOCUMENTS  
OF THE  
ASSEMBLY

OF THE  
STATE OF NEW YORK,  
ONE HUNDRED AND NINETEENTH SESSION.  
1896.

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VOLUME VI — Nos. 39 to 54, INCLUSIVE.

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WYNKOOP HALLENBECK CRAWFORD CO.,  
STATE PRINTERS,  
ALBANY AND NEW YORK.  
1896.



325.747  
N48  
1896 6  
ANNUAL REPORT OF THE TRUSTEES

OF THE

WADSWORTH LIBRARY,

GENESEO, N. Y.,

For the Year 1895.

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TRANSMITTED TO THE LEGISLATURE JANUARY 28, 1896.

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WYNKOOP HALLENBECK CRAWFORD CO.,

STATE PRINTERS,

ALBANY AND NEW YORK.

1896.



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# STATE OF NEW YORK.

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No. 39.

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## IN ASSEMBLY,

JANUARY 28, 1896.

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### ANNUAL REPORT

OF THE

Trustees of Wadsworth Library, Geneseo, N. Y.

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*To the Legislature of the State of New York:*

The Trustees of the Wadsworth Library, in pursuance of the statute, make the following report for the year 1895:

The amount received for rents and interest on secur-

ities show an income of.....	\$1,070 00
Balance on hand December 31, 1894.....	324 52
	<hr/>
	\$1,394 52
	<hr/>

The expenses for 1894 have been.....	\$945 07
Balance on hand December 31, 1895.....	449 45
	<hr/>
	\$1,394 52
	<hr/>

All of which, together with the list of property of the library, is fully set forth in schedule "A" hereto annexed.

A statement in regard to the number of books now in said library will be found in schedule "B," also hereto annexed.

### SCHEDULE "A."

Dec. 31, 1895. Cash received from interest and rents, \$1,394 52

#### Contra.

Librarian's salary. . . . .	\$300 00
Care of building and grounds. . . . .	59 50
Cost of new books. . . . .	285 04
Binding of old books. . . . .	28 21
Gas, \$67; fuel, \$135.06; water, \$11. . . . .	213 06
Expressage. . . . .	3 00
Repairs. . . . .	49 06
Insurance. . . . .	7 20
	<u>\$945 07</u>

#### Property of Wadsworth Library.

Library, lot and building. . . . .	\$12,500 00
Temple Hill grove . . . . .	1,000 00
Village house and lot. . . . .	2,000 00
Mortgages. . . . .	20,100 00
Government bonds, four per cent. . . . .	100 00
Principal on deposit. . . . .	310 09
Income on deposit. . . . .	449 45
Books in library. . . . .	12,225 00
	<u>\$48,694 54</u>

SCHEDULE “B.”

Number of books in library December 31, 1894.....	12,149
Added during year 1895.....	76
	<hr/>
	12,225
	<hr/> <hr/>

All of which is respectfully submitted,  
CHARLES F. WADSWORTH,  
*President.*

WM. A. BRODIE,  
*Secretary.*

GENESEO, N. Y., *January 1, 1896.*

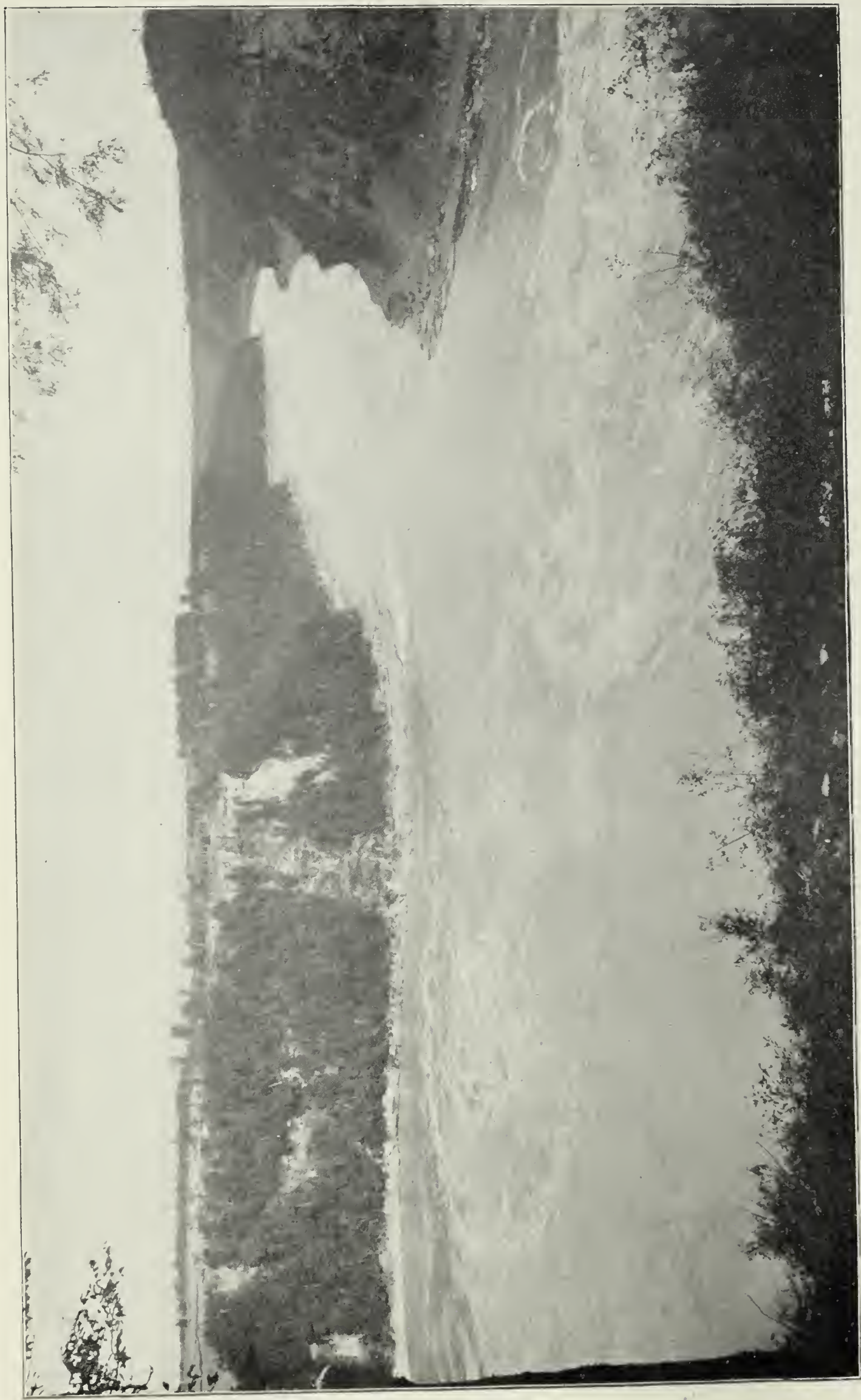












THE OUTLET OF THE WHIRLPOOL. (Frontispiece.)



# TWELFTH ANNUAL REPORT

OF THE

## COMMISSIONERS

OF THE

# State Reservation at Niagara

FOR THE FISCAL YEAR,

From October 1, 1894, to September 30, 1895.

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TRANSMITTED TO THE LEGISLATURE JANUARY 28, 1896.

---

WYNKOOP HALLENBECK CRAWFORD CO.,

STATE PRINTERS,

ALBANY AND NEW YORK.

1896.

## COMMISSIONERS.

---

ANDREW H. GREEN, *President.*

JOHN M. BOWERS.

WILLIAM HAMILTON.

ROBERT L. FRYER.

GEORGE RAINES.

TREASURER AND SECRETARY,

HENRY E. GREGORY.

SUPERINTENDENT,

THOMAS V. WELCH.

# STATE OF NEW YORK.

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No. 40.

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## IN ASSEMBLY,

JANUARY 28, 1896.

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### TWELFTH ANNUAL REPORT

OF THE

### Commissioners of the State Reservation at Niagara for the Year 1895.

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*To the Honorable the Speaker of the Assembly :*

SIR.—I herewith transmit for presentation to the Legislature the twelfth annual report of the Commissioners of the State Reservation at Niagara, for the fiscal year ended September 30, 1895.

Respectfully yours,

ANDW. H. GREEN,

*President.*



# R E P O R T .

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*To the Honorable the Legislature of the State of New York :*

The Commissioners of the State Reservation at Niagara, as required by law, submit their report for the fiscal year begun October 1, 1894, and ended September 30, 1895, being their twelfth annual report.

The tenth year of the existence of the Reservation ended July 15, 1895. The changes that have taken place during this decade of years have been indicated in the annual reports. A recital of them conveys but an inadequate impression of what has been accomplished. One can only realize what has been done towards restoring the scenery of the Falls to a state resembling that in which it was before commerce and civilization began to utilize the waters of the Niagara river, by a visit to the Falls. No one who remembers the condition of the shore and islands of the Niagara in the vicinity of the Falls during the summer of 1885 could fail to be gratified by their appearance in the summer of 1895.

The commissioners are not inclined to overestimate what has been done by themselves or their predecessors. Indeed, they are quite willing to admit that much more might have been done and that the work of restoration might have been much further advanced had the appropriations been adequate. When it is recollected that only since 1887 have they had an annual appropriation for maintenance, and that not until 1889 was an appropriation for special improvements granted to them, and when the limited amount of these allowances is considered, the results are perhaps not unsatisfactory.



It probably did not occur to those who interested themselves in the work preliminary to the establishment of the Reservation, the work of arousing public sentiment and securing legislative approval of the project, that the State, which in 1885 was willing to expend a large sum of money to make Niagara free, would so soon tolerate, authorize and legalize schemes that could not but be injurious to the Reservation and in antagonism to the purpose of the State in establishing it.

By the act of 1885 the lands of the Reservation were made free to all mankind forever. Or, in the language of the statute, "They shall forever be reserved by the State for the purpose of restoring the scenery of the Falls of Niagara to and preserving it in its natural condition; they shall forever be kept open and free of access to all mankind without fee, charge or expense to any person for entering upon or passing to or over any part thereof." The State assumed a trusteeship over them. Henceforth they were to be regarded as in a measure sacred. No new structures, save those necessary for the comfort and convenience of the people, no money-making schemes, no speculative enterprises, no tramways, no advertisements were to be permitted within the Reservation. The lands of the Reservation were to be restored to their natural condition. And although corporations and individuals have sought to secure a foothold within the Reservation for private pecuniary profit, they have thus far always been defeated.

The Legislature might, by enacting laws allowing private interests to obtain rights within the Reservation, nullify the act of 1885. The commissioners are convinced, however, that should such a course be pursued, or attempted, the opposition would be so strenuous as to prevent its eventual success. It is not unreasonable to expect that the Legislature will co-operate with the commissioners, and sustain them in their efforts to protect the Reservation from encroachment and injury.

A bill was presented to the Legislature last winter, the purpose of which was to authorize a company to erect a tower on the American side of the river and from this tower to stretch cables across the gorge to the Queen Victoria park, and along these cables to run cars to enable passengers to get views of the Falls and the river. Such a proposition seems too preposterous to merit serious consideration; nevertheless, it may be brought forward again, and unless stoutly opposed, may yet become an accomplished fact.

Another scheme last winter was to permit a tramway company to run its tracks into the Reservation. A bill was introduced in the Senate entitled, "An act to confirm the right of way of the Niagara Falls and Suspension Bridge Railway Company."

Section 2 of the bill reads as follows: "The rights of said railway company were not cut off or extinguished by the proceedings of the Commissioners of the State Reservation at Niagara Falls under and by virtue of chapter three hundred and thirty-six of the laws of eighteen hundred and eighty-three and any act or acts amendatory thereof, as no compensation was awarded to said company in said proceedings."

The position of the commissioners, with reference to this contention, is, that by the proceedings taken by the commissioners to acquire the property now included within the Reservation, the rights of every person and corporation to or in land of the Reservation, were completely extinguished. The proceedings were entirely legal and regular. Due notice was given to all persons interested. If any wrong was done to any property-owner or person, or corporation claiming rights to or in the property, there was ample opportunity for appeal to the courts, and for substantial redress.

It is hardly necessary to repeat that the commissioners are strenuously opposed to all schemes that are in any way intended to permit private persons or corporations to obtain rights within, or to encroach upon the Reservation. That such measures should be presented to the



Legislature with any prospect of favorable consideration is unaccountable, especially in view of the expressed opinions of the authorities distinctly charged with the protection and preservation of this property of the State.

It would seem to be the duty of the commissioners to take, if possible, a more determined attitude than ever in opposition to all measures of this sort. With reference to diversions of the water of the river, they maintain that, as the boundary of the Reservation extends to the line that divides the United States from the Dominion of Canada, it is their duty to protest against the drawing off of the water into canals and tunnels, as directly tending to work injury to the property of the State and its sublimest spectacle.

The method by which it is possible to inflict the greatest injury upon the Reservation and to diminish the value of the State's property at Niagara has been referred to in previous reports; and that is, to grant to private corporations the right to divert the waters of the Niagara river above the Falls, by drawing off sufficient quantities of which, it will not be very long before the volume going over the American fall will be noticeably diminished. If the Falls cease to be attractive by reason of the diminution of the volume of water; if, instead of being the most stupendous of all the world's cataracts, they become reduced and disappointing, it can readily be seen that the usefulness and attractiveness of the Reservation will become seriously impaired.

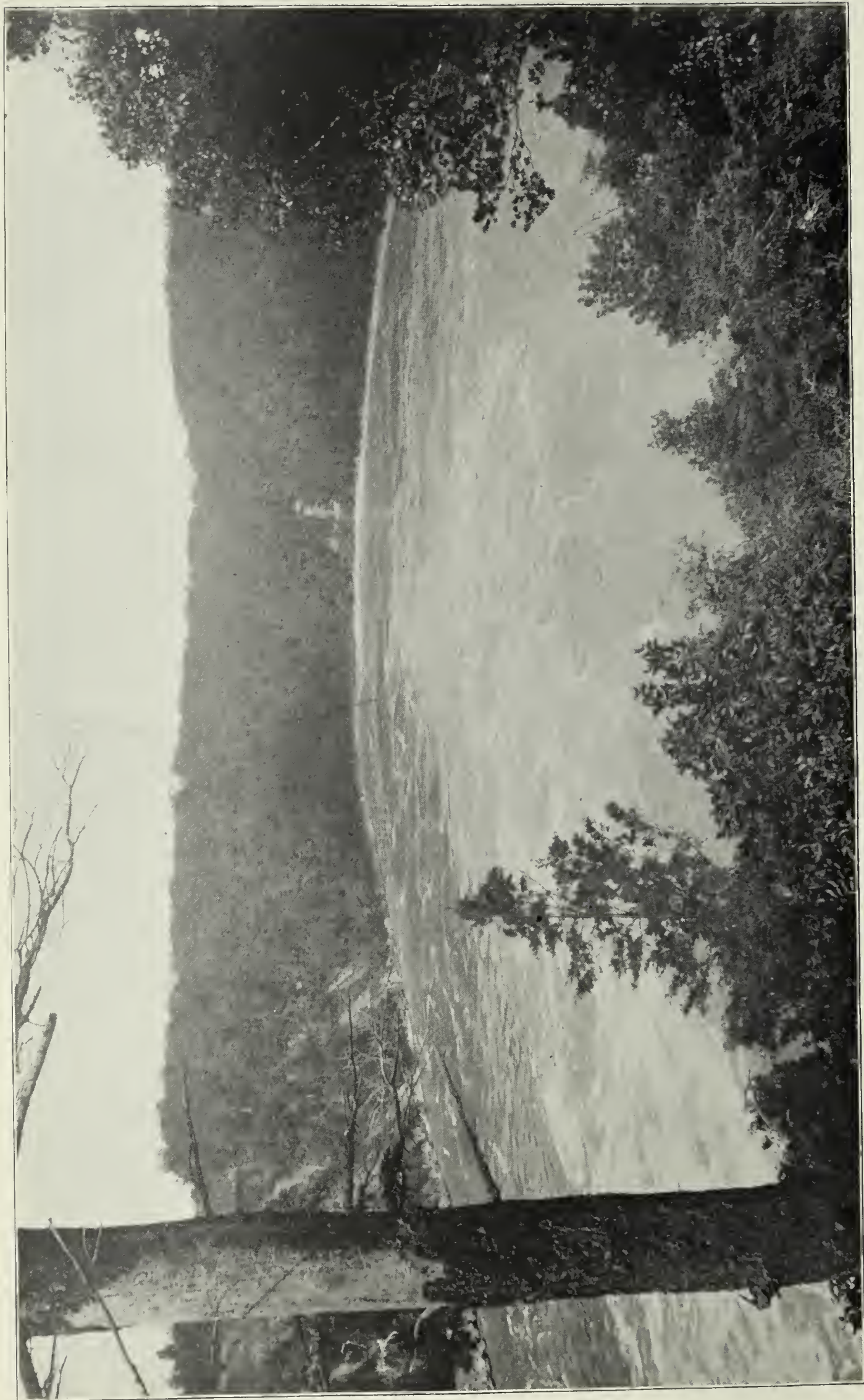
It need hardly be repeated that the American fall will suffer much more from diversions on the American side than the Horseshoe or Canadian fall.

Eight corporations claim to have already secured the right to divert the waters of the upper Niagara, and without contributing a dollar by way of compensation.

That these grants are indefensible and antagonistic to the public interest, would seem to require no demonstration. And it is not







THE WHIRLPOOL



unreasonable to question the existence of the moral or legal right to grant to private corporations, without compensation, what belongs to the people. But what has already been done at the urgency of private speculators may be repeated, the more especially as the efforts made to secure in the new Constitution a clause prohibiting such action, were unsuccessful.

The Commissioners of the Queen Victoria Niagara Falls Park have granted to one corporation, at least, the right to divert the water on the Canadian side of the river, as well as to erect structures and dig a tunnel. But for this grant or concession they have exacted what would seem to be a somewhat insufficient and inadequate compensation.

The commissioners are not informed whether such action on the part of the Ontario authorities has met with public approval on the Canadian side. But whether or not the Canadian people approve of the eventual injury to the Queen Victoria Park and the diminution of the flow at the Falls, they can at least commend their commissioners for having the sagacity to secure for the rights granted at least some remuneration.

But whether compensation is exacted or not, such diversions are likely to work injury to the Falls, and the time may come when the great spectacle, unequalled as it is and so famous not in this country only, but throughout the civilized world, will cease to be an attraction.

If the State of New York and the Province of Ontario fail to interpose for the protection of the great cataract from threatened injury, the question arises whether protection can not be insured by the intervention of the governments of the two nations whose territories are bounded by these waters.

There is no doubt that the Niagara, though a tideless river, and one in which navigation is interrupted by rapids and falls, is a public and navigable stream or watercourse, a watercourse that carries the discharges of the four great lakes into the fifth. Again, the Niagara is an international boundary stream. Through it runs the imaginary

boundary line that separates the United States from the Dominion of Canada. This fact and the fact that it is a public navigable stream, secure to the federal government jurisdiction over its waters, either to prevent excessive diversions on the Canadian side, or to enter into relations with the government of Great Britain, in order to effect, by treaty or convention, the preservation of the Falls of Niagara. The Niagara, on the American side of the boundary line, is subject to the control of Congress and to the admiralty jurisdiction of the United States courts under the Constitution.

The right to control the waters of a river which is a boundary between two countries, belongs to both countries. This right is incidental to sovereignty. The withdrawal of excessive quantities of water by one country would naturally give rise to complaint from the other. Should Canada or Ontario authorize or permit the diversion of a sufficient quantity of the water of the upper Niagara to inflict injury upon the opposite bank, or the riparian owners thereof, it would be incumbent upon the federal government to remonstrate and prevent it. The State of New York, it need hardly be said, can not enter into negotiations with a foreign power.

While it is true that the State of New York is the owner of the river-bed to the boundary line, it can hardly be questioned that the United States, through the executive, in the exercise of the treaty-making power appertaining to sovereignty, can enter into an agreement with Great Britain to prevent the further diversion of the water of the upper Niagara.

The cataract being so unique a spectacle, and belonging, one may say, to the human race, the nations within whose boundaries it lies may be regarded as trustees for its protection and preservation, and therefore it becomes obligatory upon them to see to it that private corporations shall not be permitted to diminish its grandeur.

If the United States and Great Britain refuse to interpose, there is nothing to prevent the State of New York and the Province of Onta-



rio from drawing off so much of the water of the upper Niagara as to make the cataract practically disappear.

But inasmuch as natural objects of great fame and dignity are now regarded by enlightened people as entitled to governmental protection, and States as under an implied trust or obligation to preserve them for the benefit, instruction and pleasure of the people, it would seem to be the most natural and proper course for the two governments to agree that hereafter the protection required and expected shall be accorded.

Whether or not the diversions authorized, or claimed to be authorized, will have a serious effect upon the cataract, need not be here discussed. So long as the upper river remains beyond the pale of international protection, there is constant danger to the cataract.

If, to cultivated men both in this country and in England, it seemed to be reprehensible for the State of New York and the Province of Ontario to permit the banks and islands of the Niagara, adjacent to the Falls, to remain under private control, with all the concomitant and inevitable defacements, unsightlinesses and injuries to the scenery, what shall be said when they grant away to private corporations the right to divert large volumes of the water of the upper Niagara, and thus lay profane hands upon the great cataract itself?

Surely, here is an opportunity for the two governments, in the exercise of the power which appertains to them as sovereigns, to interpose, and as trustees for the peoples of both countries and for mankind, to decree, that hereafter such diversions shall cease; that the Falls of Niagara shall be preserved in all their natural grandeur, in order that men of all nations may resort thither for edification and delight henceforth and forever.

The monthly receipts from the Reservation were as follows :

DATE.	From the Inclined Railway.	From rentals.	Dividends from Cataract Bank.	Interest on balances in bank.
1894.				
October .....	\$214 20	.....	\$56 69	.....
November .....	55 65	.....	.....	.....
December .....	40 35	.....	.....	\$42 28
1895.				
January .....	25 65	.....	.....	.....
February .....	9 05	.....	.....	.....
March .....	.....	.....	28 34	44 38
April .....	32 80	.....	.....	.....
May .....	203 70	.....	.....	.....
June .....	467 15	.....	113 38	52 01
July .....	1,016 30	\$550 00	.....	.....
August .....	1,969 75	570 00	.....	.....
September .....	906 25	970 00	56 69	23 39
	\$4,940 85	\$2,090 00	\$255 10	\$162 06 255 10 2,090 00 4,940 85
Total .....				\$7,448 01

Monthly pay-rolls have been as follows :

DATE.	Amounts.	Supple- mentary.	Total.
1894.			
October .....	\$1,477 41	.....	.....
November .....	2,222 05	.....	.....
December .....	1,145 29	.....	.....
1895.			
January .....	1,198 05	.....	.....
February .....	1,199 42	\$52 50	.....
March .....	1,179 66	.....	.....
April .....	1,438 42	.....	.....
May .....	1,498 41	1,012 37	.....
June .....	1,863 17	437 50	.....
July .....	1,475 16	.....	.....
August .....	1,478 05	.....	.....
September .....	1,470 16	.....	.....
	\$17,645 25	\$1,502 37	\$19,147 62



Expenditures, as per abstract (maintenance), were as follows :

Abstract LXXXVII .....	\$2,176 92
Abstract LXXXVIII .....	4,508 43
Abstract LXXXIX .....	2,055 50
Abstract XC .....	2,864 52
Abstract XCI .....	7,485 62
Abstract XCII .....	1,507 18
Abstract XCIII .....	25 00
Abstract XCIV .....	5,037 06
Total .....	<u>\$25,660 23</u>

Improvement abstracts as follows :

Abstract X. Series D.....	\$1,167 97	
Abstract XI. Series D.....	9 19	
	<u>          </u>	\$1,177 16
Abstract II. Series E.....	\$3,012 62	
Abstract III. Series E.....	572 54	
Abstract IV. Series E.....	28 44	
	<u>          </u>	3,613 60
Abstract I. Series F.....	\$2,541 78	2,541 78
Total .....		<u>\$7,332 54</u>

The receipts and earnings of the Reservation have been sent to the State Treasurer monthly, and interest on balances in the Manufacturers and Traders' Bank, Buffalo, has been remitted to the same official quarterly.

The Comptroller has advanced to the commissioners quarterly a fourth part of the \$25,000 appropriated by chapter 654, Laws of 1894.

Of the treasurer's report herewith submitted, exhibiting in detail all receipts and disbursements for the fiscal year ended September 30, 1895, the following is a summary :

Balance on hand October 1, 1894 .....	\$3,990 79
---------------------------------------	------------

RECEIPTS.

Inclined railway.....	\$4,940 85	
Rentals .....	2,090 00	
Interest .....	162 06	
Dividends .....	255 10	
	<u>          </u>	7,448 01
From the State treasury, chapter 654, Laws of 1894.....		25,000 00
From the State treasury, chapter 726, Laws of 1893.....		1,177 16
From the State treasury, chapter 358, Laws of 1894.....		3,613 60
From the State treasury, chapter 932, Laws of 1895.....		2,541 78
Total .....		<u>\$43,771 34</u>

## PAYMENTS.

Pay-rolls at Niagara (maintenance).....	\$19,147 62	
Repairs, materials, superintendent's expenses, etc.....	5,166 62	
Commissioners, treasurer, traveling expenses, etc .....	1,345 99	
	<hr/>	\$25,660 23
Remitted to State Treasurer.....		7,448 01
Improvements.....		1,177 16
Improvements.....		3,613 60
Improvements.....		2,541 78
Balance .....		3,330 56
		<hr/>
Total .....		\$43,771 34
		<hr/>
Total receipts since organization of commissioners, 1883 .....	\$391,765 69	
Total disbursements.....	388,435 13	
	<hr/>	
Total .....		\$3,330 56
		<hr/>

The Legislature has made appropriations for maintenance, current expenses and salaries, as follows:

By chapter 336, Laws of 1883.....	\$10,000 00
By chapter 656, Laws of 1887.....	20,000 00
By chapter 270, Laws of 1888.....	25,000 00
By chapter 569, Laws of 1889 .....	25,000 00
By chapter 84, Laws of 1890.....	20,000 00
By chapter 144, Laws of 1891.....	20,000 00
By chapter 324, Laws of 1892 .....	20,000 00
By chapter 414, Laws of 1893 .....	25,000 00
By chapter 654, Laws of 1894. ....	25,000 00
By chapter 807, Laws of 1895 .....	25,000 00
	<hr/>
Total .....	\$210,000 00
	<hr/>

For special improvements appropriations have been made as follows:

By chapter 570, Laws of 1889.....	\$15,000 00
By chapter 302, Laws of 1891 .....	15,000 00
By chapter 356, Laws of 1892 .....	15,000 00
By chapter 726, Laws of 1893.....	25,000 00
By chapter 358, Laws of 1894.....	20,000 00
By chapter 932, Laws of 1895.....	20,000 00
	<hr/>
Total .....	\$110,000 00
	<hr/>

In compliance with statutory directions, the commissioners have remitted to the State treasury the receipts from the Reservation, as follows :

From October 1, 1887, to September 30, 1888.....	\$9,331 55
From October 1, 1888, to September 30, 1889.....	7,393 77
From October 1, 1889, to September 30, 1890.....	7,670 29
From October 1, 1890, to September 30, 1891.....	9,327 67
From October 1, 1891, to September 30, 1892.....	9,823 03
From October 1, 1892, to September 30, 1893.....	10,923 85
From October 1, 1893, to September 30, 1894.....	9,251 43
From October 1, 1894, to September 30, 1895.....	7,448 01
Total .....	<u>\$71,169 60</u>

The following is “an estimate of the work necessary to be done and the expenses of maintaining said Reservation for the ensuing fiscal year,” ending September 30, 1896 :

CONSTRUCTION.

Grading, planting, etc.....	<u>\$25,000 00</u>
-----------------------------	--------------------

MAINTENANCE.

Salaries, office and traveling expenses.....	\$4,750 00
Reservation police.....	5,400 00
Mechanics and laborers.....	7,500 00
Materials, tools, etc.....	6,000 00
Miscellaneous.....	1,350 00
Total.....	<u>\$25,000 00</u>

Estimated receipts from October 1, 1895, to September 30, 1896 :

Inclined railway.....	\$6,000 00
Cave of the Winds.....	1,200 00
Ferry and steamboat landing.....	750 00
Carriage service.....	100 00
Baggage-room.....	50 00
Interest .....	150 00
Total.....	<u>\$8,250 00</u>

During the year the shores of the Reservation have been improved by grading, and by planting so as to fringe the banks in a natural and picturesque manner. Trees and shrubs have also been planted along the walks of Prospect Park. Native specimens have been chiefly used, and the aim has been to produce a wild, natural effect, in harmony with the surrounding scenery.



The work of grading and planting has been carried on in accordance with the advice of Samuel Parsons, Jr., landscape architect to the board.

A new shelter building on Goat Island was begun in August, but not having been completed during the fiscal year, a further account of it will be deferred until the next annual report.

A new terminal station at the foot of the Inclined Railway is in course of construction, and will be more particularly referred to in the next report.

For a detailed account of the work of the year, the annual report of the superintendent, which is herewith submitted, should be consulted.

The commissioners have not abandoned hope of some day having an elevator on Goat Island in place of the old Biddle stairs.

The bridges that connect Bath Island and Goat Island with the main land have required numerous repairs and considerable expenditures. They are at present safe for the ordinary travel. But they need frequent inspection, and may in the near future demand increased expenditures

New bridges of stone or steel, in place of the old ones, would be an improvement of permanent value. The commissioners have not yet determined upon plans on such bridges, but they are quite sure that money appropriated for such a purpose would be wisely expended, and they respectfully request a special appropriation of \$25,000 towards these proposed structures.

Respectfully submitted.

ANDW. H. GREEN,

*President.*

JOHN M. BOWERS,

ROBERT L. FRYER,

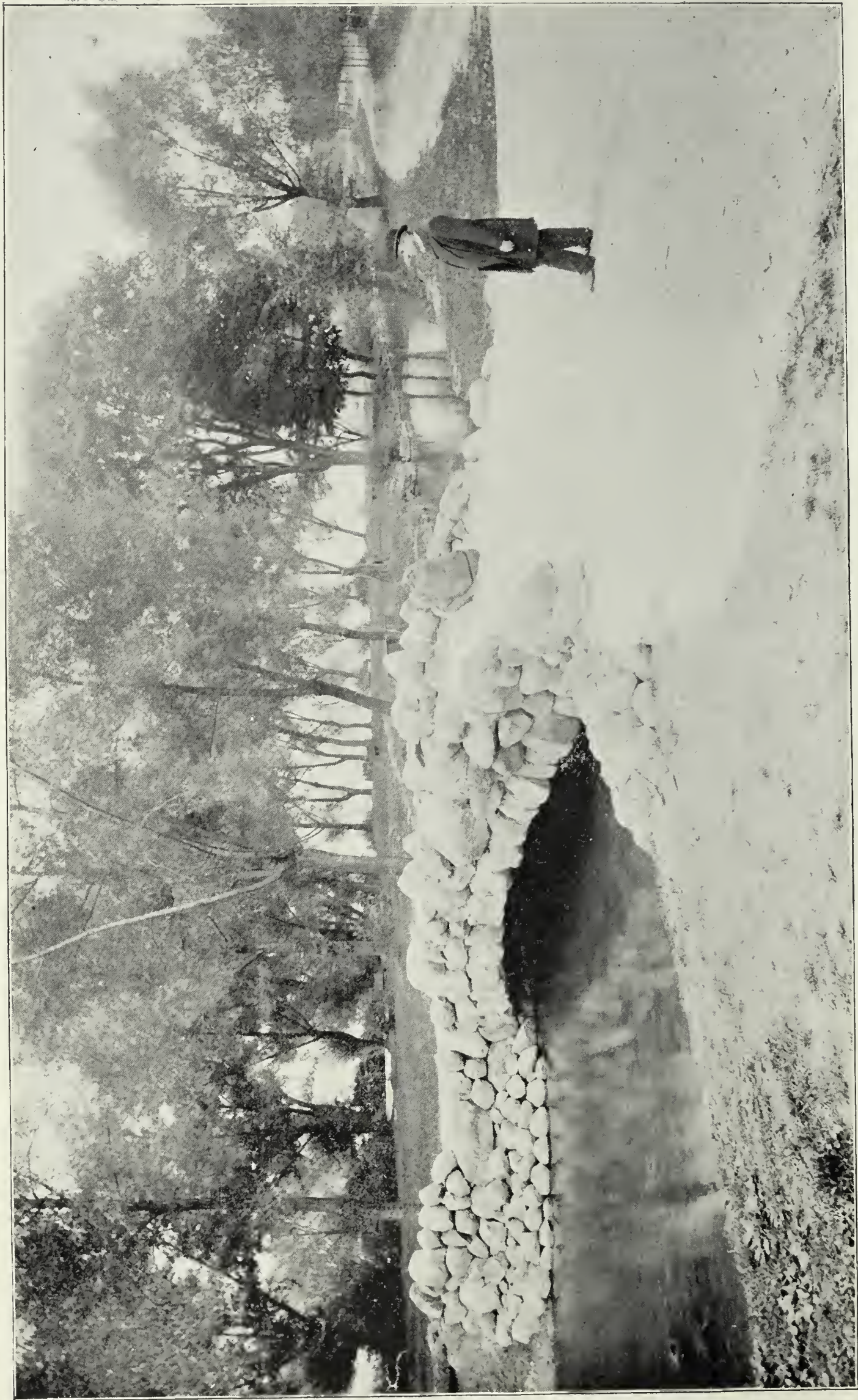
WILLIAM HAMILTON,

GEORGE RAINES,

*Commissioners of the State Reservation at Niagara.*







BOWLDER BRIDGE. WILLOW ISLAND (WEST SIDE).



## Report of the Superintendent.

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*To the Board of Commissioners of the State Reservation at Niagara :*

GENTLEMEN. — I respectfully submit the annual report of the superintendent.

The work done during the year includes the construction of a shelter building on Goat Island, the commencement of the work of constructing a terminal station at the foot of the Inclined Railway, the completion of the work of renovating the two Whipple arch iron truss bridges, the construction of a boulder stone arched bridge at the head of Willow Island, the filling, grading and planting of the lawn below First street, the planting of the river bank between Prospect Park and Mill slip, the grading of the river bank between the bridge to the Islands and Mill slip, planting at the approach to Goat Island and the approaches to the Luna Island bridge, the planting of American elms along the Riverway and at the approach to the bridge to the Islands, the construction of a gravel walk on the Riverway between the northern entrance and Bridge street, and on the slope on Goat Island leading to the new Luna Island bridge. The road of Goat Island has been Macadamized, and the roads graveled on Bridge street, First street and Mill slip. The river has been deepened above the mouth of the inlet which supplies the Inclined Railway with water. Retaining walls and paved gutters have been constructed at the approaches to the Whipple arch bridges, stone walks and paved gutters constructed at Mill slip and at the intersection of Falls street and the Riverway, the buildings repaired and painted, and other incidental work performed.



Notices for sealed proposals for the erection of a shelter building on Goat Island and a terminal station at the foot of the Inclined Railway were published as directed. August seventh the contracts were awarded to the lowest bidders, to wit:

Shelter building.....	Wm. Shepard & Son.....	\$5,677 00
Terminal station.....	R. D. Young.....	8,366 47

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### Shelter Building on Goat Island.

Work on the shelter building was commenced August fifteenth. The building has been completed, and the approaches filled and graded.

The building will afford the public a much needed and convenient shelter from rain.

It also contains lavatories, toilet rooms and drinking fountains.

A photograph of the shelter building is herewith submitted.

Suitable shelter buildings are also needed at the American Falls and at the Horsehoe Falls on Goat Island, at which points visitors congregate in large numbers. At times of sudden rain storms the present shelters, at the entrance to Goat Island and at the Three Sisters Islands, are too far distant for the public convenience.

### The Terminal Station.

Work on the terminal station was commenced September fifteenth. It has been much retarded by adverse winds which drench the workmen with spray from the Falls. The stone and brick work have been completed, and the rafters are in place. The building will soon be enclosed, but its completion before the coming spring is very doubtful.

### Bridges.

The coping of the rustic stone arched bridge at the foot of Willow Island has been completed, and the structure suitably planted with vines and other plants.

A photograph of the rustic stone bridge is herewith submitted.

### Boulder Bridge.

The wooden bridge at the head of Willow Island has been removed, and a single arch bridge constructed, composed of boulders taken from fields in the outskirts of the city. The approaches to the bridge have been filled and graded.

A photograph of the boulder bridge is herewith submitted.

### Bridges to the Islands.

The work of substituting iron for wooden needle beams and stringers, in the two Whipple arch iron truss bridges, has been completed. The bridges have been painted, and retaining walls and paved gutters constructed at the ends of the bridges.

The bridge to Luna Island has been painted and the bridges to the Three Sisters Islands repaired and painted.

The bridge from Goat Island to the First Sister Island is in need of extensive repairs, and should be replaced by a new structure.

Plans for a rustic stone arched bridge in that locality have already been submitted.

### Grading and Planting.

The lawn bounded by Buffalo avenue, First street, Mill slip and the Riverway, has been filled, graded and planted. Three thousand loads of filling, mainly from excavations made for paving city streets, were delivered without expense to the State.

April twenty-ninth, Samuel Parsons, Jr., made an examination of the grounds to be graded and planted. The river shore between Prospect Park and Mill slip has been restored, graded and planted. Loam for filling was carted to the locality from various parts of the city. Rustic stones for restoring the shore to a natural appearance were brought from Goat Island and from fields in the suburbs of the city, from which sod for covering was also carted. Considerable labor was required to conceal the outlet of the Cataract House conduit.

American elms have been planted along the Riverway and at the approach to the bridge to the islands.

Native shrubs have been planted in Prospect Park and in the territory lately graded between Prospect Park and Mill slip. The shrubs were selected by Theodore Wirth, landscape gardener, after consultation with Samuel Parsons, Jr., and were planted by Mr. Wirth under the directions of Mr. Parsons.

The rustic stone bridge and the boulder bridge have been suitably planted. The approaches to the Luna Island bridge have been planted and the banks at the approach to Goat Island.

### Roads.

The road around Goat Island has been Macadamized with 1,275 yards of hand-broken stone and 750 yards of gravel. A covering of gravel has been placed on Bridge street.

The paving of Main street and the filling of the lawn necessitated the raising of the roadways about ten inches at that point, in Mill slip and in the Riverway. This was done with gravel obtained from excavations made during the winter, without expense to the State.

A carriage turn-out has been constructed in the road on Goat Island, adjacent to the new shelter building.

The road in Prospect Park has been widened and repaired, and materials obtained for further repairs of the road in Prospect Park, on the Riverway above First street, and on Bath Island, in the coming spring as soon as the weather will permit.

### Walks.

The plank walks which remained on the west side of the Riverway, below Bridge street, have been removed and gravel walks ten feet wide constructed. A gravel walk, according to the plan adopted, has been constructed between Bridge street and Mill slip in the territory lately graded. A stone walk, curb and gutter have been constructed in Mill slip; stone gutters constructed at the intersection of Falls street and the Riverway, and the stone crosswalks at that point relaid. In the Riverway, along the new gravel walks, a margin eight feet wide has



been filled and sodded, and the old picket fence at Prospect Park removed.

The removal of the old picket fence at Prospect Park has greatly improved the appearance of the Reservation. The grounds in the locality are very attractive and are more largely frequented than any other portion. The road at that point, leading from the islands to the upper Suspension bridge, is the most frequented driveway in the city, and should be kept free from street railroads, which would destroy its beauty and excellence as a driveway.

### Inclined Railway.

The low water in the river threatened to cut off the supply for the operation of the Inclined Railway. To obviate this, the inlet pier would have to be again extended, or several ledges of rock in the bed of the river, above the mouth of the inlet, removed. As the inlet pier is already a disfigurement in the locality, the latter course has been adopted. The ledges of rock have been blasted out and a sufficient supply of water obtained, although all of the rock which has been blasted has not yet been removed.

The machinery and water gate, in the Inclined Railway building, have been repaired, and a new cable purchased for the railway.

Pending the construction of the new terminal station, temporary waiting rooms were constructed at the bottom of the Inclined Railway.

During the late severe winter the accumulations of the ice at the foot of the Inclined Railway and on the railway structure were so great that at times it was not considered prudent to allow visitors to descend. The operation of the Inclined Railway was entirely suspended from February twenty-sixth to April twelfth.

The lack of proper accommodations at the foot of the railway and the building operations in progress have also tended to lessen the receipts from the Inclined Railway for the current year.

The seemingly dangerous condition of the cliff near the Inclined Railway structure has been brought to the notice of the President of the board.

### Electric Lighting.

The removal of the fence on the Riverway has caused Prospect Park to be frequented in the evening by visitors and citizens much more than formerly. Difficulty is experienced in walking or driving in the grounds after sundown, and the necessity for lighting the grounds is constantly increasing. A proposal was received from Charles N. Owen and S. M. Brooks to light Prospect Park free of charge, and a similar proposal from the Buffalo and Niagara Falls Electric Light and Power Company. August ninth the proposal of the Buffalo and Niagara Falls Electric Light and Power Company was accepted by the executive committee. A form of license which had been submitted to the President, and amended by the Attorney-General of the State, was handed to the manager of the electric light company. A number of poles and a quantity of wire have been placed in Prospect Park, but the license has never been executed and nothing further has been done by the electric light company.

### Legislative Investigation.

The sub-committee of the Legislative investigating committee visited the Reservation March second, and made an investigation into the management of the Reservation affairs. The chairman of the executive committee and the superintendent were in attendance. The books and papers of the Reservation and all possible information were placed at the disposal of the committee. A tour of the grounds and an inspection of the buildings and bridges were made, and the committee informed of the work done since the establishment of the Reservation, and the needs and requirements for its future maintenance and improvement.







THE SHELTER BUILDING. GOAT ISLAND.



### The Street Railroad Bill.

April twenty-fourth, by direction of the President, the superintendent went to Albany and appeared before the railroad committees of the Senate and Assembly in opposition to the passage of a bill, entitled "An act to confirm the right of way of the Niagara Falls and Suspension Bridge Railway Company," and intended to permit the operation of a street railroad in a portion of the Riverway which is more largely used as a driveway than any other part of the Reservation. The superintendent also brought the matter to the attention of the Governor and the Attorney-General of the State.

The bill was not reported from the committee in either branch of the Legislature.

A copy of the proposed law is herewith submitted.

### Water Supply.

Correspondence between the superintendent and the Niagara Falls Water Works Company, concerning the account for water furnished for the use of the Reservation, is herewith submitted. The account has been paid to June 1, 1893. Since that date no account has been rendered, although it has been requested by the superintendent each year.

The mains for water service in Prospect Park and on Goat Island are surface pipes, and the supply is shut off during the winter season. The need of a general plan for an adequate water service for the Reservation grounds and buildings, is now apparent.

### An Elevator Wanted at the Cave of the Winds.

The waiting rooms and winding staircase at the Cave of the Winds have received the usual repairs during the year. The dressing rooms are inadequate and unsuitable. Better accommodations should be provided for the traveling public.

The Biddle staircase has been examined and pronounced safe, but it is old and dilapidated in appearance, and affords but a fatiguing

method of obtaining the unrivalled view of the Falls from below. It should be replaced by a commodious elevator, with a free stairway attached. Such an elevator, operated for a fee of five cents up or down, would furnish an estimated revenue of \$5,000 a year to the State, which with the present income, mainly derived from the Inclined Railway, would in time render the Reservation self-sustaining.

### Employes.

The regular force employed consists of ten men, to wit: One superintendent, one clerk, six police gatemen and caretakers and two Inclined Railway men.

The following is a statement of the number of foremen, teamsters and laborers employed on maintenance and on works of improvement during the months of the year ending September 30, 1895:

PAY-ROLLS.	MAINTENANCE.			CHAP. 358, LAWS 1894.			SUPPLEMENTARY.			CHAP. 933, LAWS 1895.			
	Foreman.	Labors.	Teamsters.	Foreman.	Labors.	Teamsters.	Gardener.	Labors.	Teamsters.	Gardener.	Foreman.	Labors.	Teamsters.
1894.	October. ....	16	8	1	6	3	..	..	..	..	..	..	..
	November.....	24	8	..	..	..	..	..	..	..	..	..	..
	December.....	5	1	..	..	..	..	..	..	..	..	..	..
1895.	January.. ..	1	1	..	..	..	..	..	..	..	..	..	..
	February.....	1	1	..	..	..	..	..	..	..	..	..	..
	March .....	1	1	..	..	..	..	..	..	..	..	..	..
	April.....	1	2	..	..	..	..	..	..	..	..	..	..
	May .....	1	1	..	..	..	1	22	2	..	..	..	..
	June.....	1	2	..	..	..	1	14	1	..	..	..	..
	July.....	..	1	..	..	..	..	..	..	..	1	14	5
	August.....	1	13	..	..	..	..	..	..	..	1	12	5
	September .....	1	14	..	..	..	..	..	..	1	1	11	3

### Exclusive Livery Privileges.

The legality of the exclusive livery privileges granted by the railroad companies has not yet been decided by the Court of Appeals. The manager of the livery business has continued to also manage the elevator bazaar and photograph business at Table Rock on the Canadian side, to which passengers, obtained by solicitation on the railroad trains on the American side, are systematically and expeditiously conducted. Visitors so intercepted on the railroad trains, are not aware that the elevator, bazaar and photograph business are managed in combination with the livery privileges. The result of this system is to deceive the traveling public, to destroy fair competition in business and to create and uphold a monopoly of the most vicious character.

### Reservation Carriage Service.

The Reservation Carriage Service has been operated very successfully during the year. The traveling public are now generally aware of the existence of such a service, and are glad to give it their patronage. Eight carriages have been in operation during the year. In view of the privileges enjoyed by the carriage service, it is important that it be kept free from combination with liveries, hotels, stores, toll places, railways and so-called excursion companies.

Some of the carriages in use are heavy and cumbersome, and can with advantage be replaced by lighter vehicles, which would render the service more expeditious and efficient.

### Licensed Carriage Drivers.

Ten complaints have been made by visitors against licensed carriage drivers. Two drivers have been excluded from the Reservation for violation of the ordinances of the commissioners. Public carriage stands have been permitted on the Riverway, and two carriages at one time have been allowed to stand on Bridge street, and two on Falls street; the privilege is subject to revocation upon cause of complaint.



The carriage stand on the Riverway, between Falls street and Niagara street, have been the subject of complaint on the part of property owners on the opposite side of the Riverway. A carriage stand at that point is in many ways objectionable, and it may be well to abolish it, or at least to limit the number of carriages which shall occupy it at one time.

### Number of Visitors.

The number of visitors during the year was below the average, and is estimated at 500,000. The excursion travel was slightly below that of last year, there being 4,571 railroad cars bringing an estimated number of 274,260 persons.

The construction of the electric railroad on the Canadian side for a time materially reduced the excursion travel to the State Reservation. The Gorge Electric Railroad, just opened on the American side, may largely restore the former condition of affairs. It is also expected that the electric railroad from Buffalo, which brings its passengers to the entrance of the Reservation, will largely increase the number of visitors.

### The Cave of the Winds.

During the year visitors have been conducted through the Cave of the Winds by George W. Wright, lessee. In the cave, additional safeguards for visitors have been provided. About the average number of tourists visited the cave. As the locality is between the American and the Horseshoe Falls, the view is unparalleled; but the winding stairway leading to it is so unsuitable and fatiguing, that very few visitors are able to enjoy the beauty of the scenery below the high bank. A walk can easily be constructed along the edge of the water between the American and the Horseshoe Falls, which, if a suitable elevator was provided, would undoubtedly be a point of great resort and of surpassing interest to visitors.

### Steamboat Landing.

The steamboat landing has been leased and kept in repair by the "Maid of the Mist" Steamboat Company during the year. Only one boat has been in operation. The second boat has not been used, because of the moderate volume of travel and the low water prevailing at the dock.

### Receipts.

The receipts of the superintendent from all sources during the fiscal year have been \$7,285.95, to wit: Inclined Railway, \$4,940.85; rentals, \$2,090; dividends from the receiver of the Cataract bank, \$255.10.

The stoppage of the Inclined Railway from February twenty-sixth to April twelfth, because of the dangerous accumulation of ice and the work of building the new terminal station, have tended to lessen the receipts from the Inclined Railway during the past year. The new terminal station, when completed, will give better accommodations than were ever before afforded. The electric railroad from Buffalo and Lewiston will increase the volume of travel, and it is probable that the receipts for the coming year will be greater than those of any year since the establishment of the Reservation.

### Tabular Statement.

Detailed statements of the receipts and expenditures by the superintendent, the amount of the pay-rolls for each month and the classification of the pay-rolls and accounts are herewith appended.

Respectfully submitted,

THOMAS V. WELCH,

*Superintendent.*



## Excursions for 1894-1895.

Date.	WHERE FROM.	Number of cars.	Estimated number of visitors.
1894.			
Oct. 2	Allentown, Pa., via Lehigh Valley R. R.....	8	480
	Newton's excursion, via W. N. Y. & Pa. Ry...	8	480
7	Rochester, N. Y., via West Shore R. R.....	7	420
	Buffalo, Lockport and vicinity, via N. Y. C. R. R. ....	13	780
	Rochester, via Erie Ry.....	7	420
8	Buffalo, N. Y., Orpheus singing society.....	6	360
9	Reading, Pa, Hose company No. 1.....	2	120
19	New York State Superintendents of Instruction..	3	180
21	Buffalo, Lockport and vicinity.....	15	900
28	Boston, Mass., special party.....	2	120
	Buffalo, Rochester and Lockport.....	12	720
			4,980
1895.			
May 3	Lockport, N. Y., Union schools, Arbor Day....	30	1,800
	Boston, Mass., Raymond party.....	9	540
5	Buffalo, N. Y., via Erie Ry.....	3	180
8	Boston, Mass., Raymond party.....	8	480
12	Jamestown, N. Y., via W. N. Y. & Pa. Ry.....	4	240
19	Prescott's excursion, via Erie Ry.....	4	240
	Buffalo, N. Y., via N. Y. C. R. R.....	6	360
	Rochester and Batavia, via Erie Ry.....	2	120
20	New York city, excursion retail coal dealers..	3	180
22	Buffalo, N. Y., B. P. O. of Elks.....	4	240
	Reunion Twenty-eighth regiment .....	2	120
24	Excursion U. S. army surgeons.....	4	240
	Queenston, Ont., Canadian encampment.....	4	240
25	Toronto, Ont.....	3	180
	Buffalo, N. Y., Railroad passenger agents.....	2	120
26	Buffalo, N. Y., via N. Y. C., Erie & West Shore R. R.....	10	600
30	Decoration Day excursion, via N. Y. C. & M. C. and Lehigh Valley R. R.....	40	2,400
	Rochester, N. Y., via Erie R. R.....	6	360
	Jamestown, via Erie R. R.....	8	480
		152	9,120
June 2	Buffalo, N. Y., via Erie Ry.....	2	120
	Lehigh Valley, Writer's club, Lehigh Valley R. R.....	5	300
	Rochester, N. Y, via West Shore R. R.....	6	360
	Buffalo, N. Y., via N. Y. C. R. R.....	20	1,200
	Lockport, via N. Y. C. & Erie.....	8	480
	Iroquois Co., Ill.....	7	420
5	Buffalo, N. Y., company soldiers, Fort Niagara..	1	60
7	Jamestown, N. Y., Swedish-Lutheran society..	4	240
8	Rochester and Monroe Co. Union schools.....	10	600
9	Binghamton and Carbondale, via Erie Ry.....	11	660
	Buffalo, Rochester and Lockport.....	25	1,500
11	York Co., Ont, Council.....	2	120
13	Lindsay, Ont., Odd Fellows.....	4	240
14	Boston, Mass.....	4	240
	New York city bowling club.....	1	60

## EXCURSIONS — (Continued).

Date.	WHERE FROM.	Number of cars.	Estimated number of visitors.
1895.			
June 14	Toronto, Ont., Bookbinders.....	4	240
16	Buffalo, N. Y., via Erie Ry.....	2	120
	Buffalo, Rochester and Lockport, via N. Y. C. R. R.....	30	1,800
17	Orangeville, Ont., I. O. of Foresters.....	4	240
	Orangeville, Ont., I. O. of Foresters (by boat)...	3	180
19	Buffalo, N. Y., via steamer.....	1	60
	Toronto, Ont., via G. W. Ry.....	6	360
	Money-Penny, Hammond Co., Wholesale grocers.....	5	300
	Toronto, Ont., Board of Trade.....	2	120
20	Acton and Georgetown, Ont., Union society...	8	480
	Toronto, Ont., Agricultural society.....	7	420
22	Toronto, Ont., Typemakers.....	5	300
	Buffalo, N. Y., Zither club.....	1	60
	Buffalo, N. Y., Union schools.....	10	600
	Cleveland, O., Republican national league....	4	240
	Canada, employes G. T. Ry.....	12	720
23	Rochester, N. Y., via Erie Ry.....	5	300
	Buffalo, N. Y., via Steamer Columbia.....	5	300
	Buffalo, N. Y., Italian Bersaglieu society.....	4	240
	Buffalo, Rochester and Lockport, via N. Y. C. R. R.....	40	2,400
24	Toronto, Ont., Sons of England.....	6	360
	Buffalo, N. Y., Public schools.....	2	120
	California, Phillip's excursion.....	8	480
	Buffalo, N. Y., via Steamer Columbia.....	3	180
25	Lockport, N. Y., Y. M. C. association.....	4	240
	Cleveland, O., via boat and rail.....	6	360
	American institute of electrical engineers.....	6	360
	Buffalo, N. Y., via Steamer Columbia.....	5	300
	Toronto, Ont., via Steamer Chippewa.....	7	420
	Elmira, N. Y., via Erie Ry.....	7	420
26	Buffalo, N. Y., via Steamer Pilgrim.....	4	240
	Rochester, N. Y., Royal Arcanum.....	6	360
	Carbondale, Pa., via Erie Ry.....	4	240
	Buffalo, N. Y., via Steamer Pilgrim.....	1	60
27	Clyde and Lyons, N. Y., via West Shore Ry...	9	540
	Western New York Women's Auxiliary of Diocese.....	5	300
	Carbondale, Pa., via Erie Ry.....	6	360
28	Stratford, Ont., Civic holiday.....	10	600
	Hamburg, Ont., Civic holiday.....	4	240
29	Suspension Bridge, Episcopal S. S.....	2	120
30	Buffalo, N. Y., via Erie Ry.....	2	120
	North College, Glee club.....	1	60
	New Castile and Titusville, via B. N. Y. & Pa. Ry.....	9	540
	Buffalo, Rochester and Lockport.....	30	1,800
		415	24,900
July 1	Dominion day, Canada excursion.....	30	1,800
	Woodstock, Ont., via G. T. Ry.....	8	480
	Hamilton, Ont., via G. T. Ry.....	15	900
	Toronto, Ont., via Steamers Chippewa and Chicora.....	12	720



EXCURSIONS — (Continued).

Date.	WHERE FROM.	Number of cars.	Estimated number of visitors.
1895.			
July 3	Buffalo, N. Y., via Steamer Pilgrim.....	6	360
	Grimsly, Ont., via G. T. Ry.....	5	360
	Buffalo, N. Y., via Steamer Pilgrim.....	1	60
	Buffalo, N. Y., Carpenters' art sketch party...	1	60
4	Boston, Mass., Raymond excursion.....	2	120
	Buffalo, Rochester and Lockport.....	200	12,000
	Carbondale, Pa.....	10	600
	Jamestown, N. Y.....	9	540
	Hornellsville, N. Y.....	8	480
6	Buffalo, N. Y., via Steamer Pilgrim.....	10	600
	Boston, Mass., Raymond party.....	14	840
7	Boston, Mass., Christian Endeavor society.....	22	1,320
	Lehigh Valley, via Lehigh Valley Ry.....	18	1,080
	Boston, Mass., Christian Endeavor society.....	20	1,200
	Buffalo, N. Y., via Steamer Pilgrim.....	8	480
8	Buffalo, N. Y., via Erie Ry.....	3	180
	Toronto, Ont., Saint Paul de Vincent society..	8	480
9	Boston, Mass., Christian Endeavor society.....	10	600
	Buffalo, N. Y., via Steamer Pilgrim.....	3	180
	Buffalo, N. Y., via Erie Ry.....	2	120
	Boston, Mass., Christian Endeavor society.....	45	2,700
	Hornellsville, N. Y., Ladies' Unity lodge, locomotive firemen.....	3	120
10	Buffalo, N. Y., Paper bag manufacturers.....	4	240
	Buffalo, N. Y., via Steamer Pilgrim.....	8	480
	Toronto, Ont., Elm M. E. church.....	4	240
	Buffalo, N. Y., M. E. church S. S.....	6	360
	Rochester, N. Y., via West Shore R. R.....	7	420
	Toronto, Ont., via Steamer Cibola.....	2	120
	Akron, N. Y., via N. Y. C R. R.....	1	60
11	Erie, Pa., First M. E. church society.....	9	540
	Buffalo, N. Y., Seneca Street M. E. church society.....	4	240
13	Toronto, Ont., Colin M. F. Co.....	4	240
	Buffalo, N. Y., via Steamer Pilgrim.....	1	60
14	Jamestown and Ridgeway.....	6	360
	Buffalo, N. Y., via Steamer Pilgrim.....	9	540
	Jamestown, N. Y., Gracius singing society....	10	600
	Erie Ry., along the line.....	15	900
	Western N. Y. & Pa. Ry., along the line.....	10	600
	Harrington party (special).....	1	60
	Buffalo, Rochester and Lockport.....	65	3,900
16	Buffalo, N. Y., via Steamer Pilgrim.....	4	240
	Toronto, Ont., via Steamer Chippewa.....	5	300
17	Buffalo, N. Y., via Steamer Pilgrim.....	19	1,140
	Toronto, Ont., via Steamer Chippewa.....	10	600
	Hamilton, Ont., G. T. Ry.....	6	360
	Toronto, Ont., Commercial travelers.....	5	300
	Dunkirk, N. Y., via Allegheny Ry.....	6	360
18	Buffalo, N. Y., opening Gorge Ry.....	4	240
	Pennsylvania State editorial association.....	6	360
	Detroit, Mich., Press club.....	15	900
19	Buffalo, N. Y., National association railroad baggage agents.....	5	300
	C. H. & D. Ry., along the line (five secs.)....	45	2,700
	Buffalo, N. Y., via Steamer Pilgrim.....	6	360
	Toronto, Ont., King Street Trinity church.....	8	480
20	Chautauqua, Newton's excursion.....	10	600

## EXCURSIONS — (Continued).

Date.	WHERE FROM.	Number of cars.	Estimated number of visitors.
1895.			
July 20	Erie, Pa., C. M. B. A. society.....	8	480
	Buffalo, N. Y., Half Holiday excursion.....	10	600
	Buffalo, N. Y., Half Holiday excursion, via Steamer Pilgrim.....	14	840
	Toronto, Ont., via Steamer Chippewa.....	14	840
21	Buffalo, Rochester and Lockport.....	65	3,900
	Buffalo, via Erie Ry.....	6	360
	Buffalo, via Steamer Pilgrim.....	11	660
22	Toronto, Ont., A. O. U. W. society.....	4	240
23	Buffalo, N. Y., via B. R. & Pa. Ry.....	7	420
	Buffalo, N. Y., Baptist church society.....	8	480
24	Chautauqua .....	6	360
	Buffalo, N. Y., Spring Street M. E. church....	4	240
25	Baltimore, Md., via Lehigh Valley Ry.....	8	480
27	Chautauqua .....	4	240
28	Buffalo, N. Y., via Steamer Pilgrim.....	6	360
	Rochester .....	4	240
	Buffalo, Rochester and Lockport.....	20	1,200
	Buffalo, via B. R. & Pitts. Ry.....	10	600
	Lehigh Valley, special party.....	10	600
	Cleveland, O., via steamer.....	10	600
29	Buffalo, N. Y., via Steamer Pilgrim.....	10	600
30	Buffalo, N. Y., St. Vincent's Orphan Asylum ..	3	180
	Buffalo, N. Y., via Steamer Pilgrim.....	9	540
	Toronto, Ont., via Steamer Chippewa .....	2	120
31	Batavia, N. Y., via old road .....	6	360
	New Bethlehem, Pa.....	6	360
	Lockport, N. Y., German Lutheran church ....	6	360
	Erie Ry., from C., H., V. & T. Ry.....	8	480
	Elmira, N. Y., and Carbondale, Pa.....	9	540
	Buffalo, N. Y., St. Paul's Epis. church society .	8	480
		1,088	65,280
Aug. 1	Toronto, Ont., All Saints' church, via Steamer Chippewa.....	9	540
	Touawanda, N. Y., German church society ....	10	600
2	C., C., C. & I. Ry., along the line (five secs.)..	35	2,100
	Buffalo, N. Y., via Steamer Pilgrim .....	7	420
3	Erie, Pa., employes iron works .....	8	480
	R. W. & O. Ry., harvest excursion.....	22	1,320
	Sanford, Ont., employes wholesale tailoring firms .....	5	300
	Buffalo, N. Y., via Steamer Pilgrim.....	4	240
4	Buffalo, N. Y., via Steamer Pilgrim.....	8	480
5	Hamilton, Ont., via Steamer Garden City .....	10	600
4	Buffalo, Rochester, Syracuse and Lockport, via West Shore Ry.....	45	2,700
6	Olean, N. Y., via W. N. Y. & Penn. Ry .....	8	480
	Erie, Pa., Erie Despatch newspaper.....	6	360
	Milton, Ont., Milton Cornet band.....	4	240
	Buffalo, N. Y., via Steamer Pilgrim.....	3	180
7	Erie railway, along main line .....	10	600
	Carbondale, Pa., via W. N. Y. & Penn. Ry ....	10	600
	Brooklyn, N. Y., Hendrickson's excursion.....	8	480
	C., C. C. & St. Louis railway (seven secs.)....	70	4,200
	Buffalo, N. Y., via Steamer Pilgrim.....	2	120
	Cleveland, O., via Erie Ry .....	10	600







BOWLER BRIDGE. WILLOW ISLAND (WEST SIDE).



## EXCURSIONS—(Continued).

Date.	WHERE FROM.	Number of cars.	Estimated number of visitors.
1895.			
Aug. 8	Akron, O .....	18	1,080
	Youngstown, O .....	10	600
	Toronto, Ont., via Steamer Garden City .....	13	780
	Oswego, N. Y., via R. W. & O. Ry.....	10	600
	Pittsburg, Chenango & L. E. Ry.....	10	600
	Western N. Y. & Penn. Ry.....	10	600
	Youngstown, Pa .....	10	600
	Brooklyn, N. Y., Hendrickson excursion.....	2	120
	Nickel Plate Ry.....	20	1,200
9	Nickel Plate railway (ten secs.).....	100	6,000
	Washington, D. C., special party .....	10	600
	Philadelphia, Pa., special party .....	10	600
	Galena & Greenville, Lehigh Valley Ry.....	22	1,320
10	Elmira, Ont, via G. T. Ry.....	6	360
	Toronto, Ont., via Steamer Empress of India..	6	360
	R. W. & O. Ry., harvest excursion .....	15	900
	Toronto, Ont., Uniformed Catholic Knights...	6	360
11	Pittsburg, Pa .....	13	780
	Buffalo, Rochester & Lockport, via rail and water.....	45	2,700
	Buffalo, via Erie Ry.....	7	420
	Buffalo, via Steamer Pilgrim.....	4	240
12	Simcoe, Ont., via Steamer Garden City.....	6	360
13	W. N. Y. & Penn. Ry.....	7	420
	Chautauqua, N. Y.....	5	300
	Lockport, N. Y., English Lutheran church....	8	480
	Buffalo, N. Y., via Steamer Pilgrim .....	10	600
14	Buffalo, Rochester, Lockport and Tonawanda, N. Y., and Toronto, Ont., Ancient Order Hibernians.....	25	1,500
	Titusville, Pa., along L. S. & M. S. Ry .....	9	540
	Jamestown, N. Y.....	4	240
	Toronto, Ont., via G. T. Ry.....	9	540
	Buffalo, N. Y., via Steamer Pilgrim.....	9	540
15	Chicago, Ills., G. T. railway.....	35	2,100
	Manchester, N. Y., via Lehigh Valley Ry.....	12	720
	St. John's, Ont.....	1	60
	Buffalo, N. Y., via Steamer Pilgrim .....	20	1,200
	Erie railway, via along the line.....	20	1,200
16	Toronto, Ont., Barber, Ellis Co. employes....	10	600
	Port Jervis, via G. T. Ry.....	8	480
	Buffalo, N. Y., via Steamer Pilgrim.....	11	660
	Cinn., Dayton & Hamilton Ry .....	65	3,900
	Berlin, Ont., 29th Batt. band .....	7	420
17	Hamilton, Ont., foundry empl'yes (three secs.)	35	2,100
	Bay City, Wis., via G. T. Ry .....	10	600
	Geneva, N. Y., via Lehigh Valley Ry .....	16	960
	Buffalo, N. Y., via Steamer Pilgrim.....	11	660
18	Buffalo, Rochester, Lockport and Syracuse....	45	2,700
	Akron & Youngstown, O., via Erie Ry .....	12	720
	West Shore railway, along line of.....	9	540
19	R. A. & O. railway, along line of.....	12	720
	Chautanqua, N. Y.....	9	540
	Buffalo, N. Y., half-holiday excursion.....	12	720
18	Janesville, O.....	16	960
	Akron and Kent, O.....	17	1,020
	Buffalo, N. Y., telegraph operators.....	2	120
	Buffalo, N. Y., via Steamer Pilgrim.....	15	900

## EXCURSIONS — (Continued).

Date.	WHERE FROM.	Number of cars.	Estimated number of visitors.
1895.			
Aug. 19	London, Ont., civic holiday.....	5	300
	St. Catherines, Ont., via G. T. Ry.....	4	240
	Toronto, Ont., via Steamer Chippewa.....	14	840
	Toronto, Ont., via Steamer Empress of India..	10	600
	Seaforth, Ont., via G. T. Ry.....	6	360
	St. Thomas, Ont., via M. C. Ry.....	8	480
	Buffalo, N. Y., via Steamer Pilgrim .....	4	240
	London, Ont., via G. T. Ry .....	6	360
20	Meriden, O., & Detroit, Mich., via G. T. Ry...	12	720
	South Bend, Ind., via Erie Ry .....	9	540
	Buffalo, N. Y., via Steamer Pilgrim .....	4	240
	Nickel Plate railway (two sections).....	22	1,320
	New York Central railroad, over old road.....	30	1,800
21	Boston, Mass., Knight Templars' conv. ....	32	1,920
	N. Y., P. & O. Ry.....	9	540
	Streator, Ills. (two sections).....	19	1,140
	Hinsdale, O.....	10	600
22	Reunion 8th Heavy Artillery .....	6	360
	Boston, Mass., Knight Templars' conv.....	33	1,980
	Ottawa, Ont., Knight Templars' conv .....	10	600
	Springfield, O., Knight Templars' conv.....	10	600
	Portsmouth, O., Knight Templars' conv.....	7	420
23	Toronto, Ont., Queen St. M. E. church.....	10	600
	Buffalo, N. Y., via Steamer Pilgrim .....	5	300
	Columbus, O.....	10	600
	Chautauqua, N. Y.....	10	600
	Chautauqua, N. Y., via W. N. Y. & Pa. Ry....	9	540
	Boston, Mass., Knight Templars' conv.....	20	1,200
24	Stratford, Ont., employes G. T. Ry.....	45	2,700
	Buffalo, N. Y., via Steamer Pilgrim.....	5	300
	Jackson, W. Va., Knight Templars' conv.....	6	360
25	Port Jervis, via Erie Ry.....	12	720
	Carbondale, Pa., via Erie Ry.....	14	840
	Corning and Wellsville, via Erie Ry.....	12	720
	Dayton, O., Knight Templars.....	5	300
	Kansas City, Mo., Knight Templars.....	9	540
	Batavia, N. Y., A. O. of Hibernians.....	12	720
	Buffalo, N. Y., via Steamer Pilgrim.....	5	300
	Stratford, Ont., via G. T. Ry.....	5	300
	Boston, Mass. (en route to), Knight Templars.	28	1,680
	Boston, Mass. (en route to), Knight Templars,	41	2,460
	Terre Haute, Ind., via Wabash Ry .....	19	1,140
	Erie railway, via main line.....	20	1,200
	Pittsburg, Pa., via P. R. & P. Ry.....	14	840
	N. Y. C., Mich C. & West Shore Ry.....	70	4,200
26	Erie, Pa., Christian Endeavor .....	10	600
27	B., N. Y. & Penn. R. R.....	10	600
	B., R. & Pitts. R. R.....	10	600
	B., L. & Western R. R.....	10	600
28	Buffalo, N. Y., via Steamer Pilgrim .....	9	540
	Toronto, Ont., via Steamer Chippewa.....	5	300
	St. Catharines, Ont., via G. T. Ry .....	1	60
	Buffalo, N. Y., freight agents' conv.....	4	240
	Cleveland, O., special party .....	6	360
29	Brantford, Ont., via M. C. Ry .....	5	300
	Carsonburg, Ont., via M. C. Ry.....	4	240
	Buffalo, N. Y., via Steamer Pilgrim .....	1	60
	Youngstown, N. Y., Pres. Ch. S. S. ....	3	180



EXCURSIONS — (Continued).

Date.	WHERE FROM.	Number of cars.	Estimated number of visitors.
1895.			
Aug. 30	Buffalo, N. Y., Knight Templars .....	8	480
	Buffalo, N. Y., via Steamer Pilgrim .....	3	180
	Buffalo, N. Y., Detroit Commandery .....	6	360
	Brooklyn, N. Y., Eagle newspaper.....	2	120
31	Toronto and Waterloo, Ont.....	24	1,440
	Middleport, N. Y.....	1	60
		1,921	115,260
Sept. 1	Wilkesbarre and Scranton, Pa., via Lehigh Valley Ry.....	10	600
	Buffalo, Rochester, Lockport, Syracuse and Dunkirk, N. Y., and Cleveland, O.....	60	3,600
	Detroit, Mich., via G. T. Ry .....	11	660
	Rochester, N. Y., via Erie Ry .....	12	720
	Buffalo, N. Y., via Steamer Pilgrim .....	7	420
2	Labor Day excursion, via Lehigh Valley Ry ...	11	660
	Labor Day excursion, N. Y. C. Ry .....	20	1,200
	Rochester & Syracuse, via West Shore Ry.....	9	540
	Oswego, via R. W. & O. Ry .....	10	600
	Paterson, N. J., via Erie Ry .....	12	720
	Hamilton, Ont., via G. T. Ry .....	15	900
	Buffalo, N. Y., via Steamer Pilgrim .....	11	660
3	Cleveland, O., via L. S. and M. S. Ry .....	9	540
	Jamestown, N. Y., via Erie Ry.....	7	420
	Buffalo, N. Y., via Steamer Pilgrim .....	5	300
4	Brooklyn, N. Y., German Schutzen Corps.....	10	600
5	Galion, O., via Erie Ry .....	12	720
	Sharpsville, O., via Erie Ry .....	11	660
	Warren, O., via Erie Ry.....	10	600
	Buffalo, N. Y., via Steamer Pilgrim .....	5	300
	Williard, Ont .....	1	60
	Youngstown, N. Y.....	1	60
6	Philadelphia, Pa., via Lehigh Valley Ry .....	10	600
	Kent, O., via L. S. & M. S. Ry .....	10	600
	Canton and Akron, O., via Erie Ry.....	12	720
	Buffalo, N. Y., via Steamer Pilgrim .....	2	120
7	Medina, N. Y., Union Ch. & S. S.....	7	420
	Toronto, via G. T. Ry .....	7	420
	Buffalo, N. Y., via Steamer Pilgrim .....	1	60
8	Erie Ry., along main line.....	12	720
	Louisville, Ky., (en route) G. A. R.....	18	1,080
	Boston, Mass., (en route) Am. Ry. ticket agents	21	1,260
	Syracuse and Rochester, via West Shore.....	12	720
	Buffalo, Lockport, Tonawanda and Dunkirk, N. Y. and Cleveland, O., via N. Y. C. & L. S. & M. S. Ry .....	14	840
	Buffalo, N. Y., via Erie Ry.....	5	300
	Buffalo, N. Y., via Steamer Pilgrim .....	6	360
9	Cortland, N. Y., via Erie Ry., Knight Templars..	7	420
	Meadville, Pa., via Erie Ry, Knight Templars..	5	300
	Hornellsville, N. Y., via Erie Railway, Knight Templars .....	3	180
	Chautauqua, Newton's excursion .....	10	600
10	New York State conclave Knight Templars, via Lackawanna Ry .....	12	720
	Knight Templars, via Lehigh Valley Ry .....	10	600
	Knight Templars, via N. Y. C. Ry.....	44	2,640

## EXCURSIONS — (Concluded).

Date.	WHERE FROM.	Number of cars	Estimated number of visitors.
1895.			
Sept. 10	Knight Templars, via West Shore Ry .....	20	1,200
	Knight Templars, via R. W. & O. Ry .....	8	480
	Knight Templars, via Western N. Y. & Pa. Ry.	12	720
	Port Jervis and Carbondale, via Erie Ry .....	11	660
	Hornellsville, N. Y., via Erie Ry .....	10	600
	Batavia, N. Y., via Erie Ry .....	3	180
	Almond, N. Y., via Erie Ry .....	7	420
	Tioga, N. Y., via Erie Ry .....	2	120
	Jamestown, N. Y., via Erie Ry .....	11	660
12	Buffalo, N. Y., retail butchers' convention .....	7	420
	Seneca Falls, N. Y., I. O. O. F .....	9	540
	Toronto, Ont., via Steamer Chippewa .....	8	480
	Buffalo, N. Y., via Steamer Pilgrim .....	2	120
13	Buffalo, N. Y., via Steamer Pilgrim .....	2	120
	Toronto, Ont., via Steamers Chippewa and Chicora .....	21	1,260
14	Toronto, Ont., via Steamer Chicora .....	15	900
	Toronto, Ont., via Steamer Chippewa .....	6	360
	Buffalo, N. Y., via Steamer Pilgrim .....	2	120
15	Buffalo, N. Y., via Steamer Pilgrim .....	2	120
	Buffalo, N. Y., via Erie Ry .....	6	360
	Jackson, Mich., via M. C. Ry .....	18	1,080
	Chicago, Ill., and Niles, Mich .....	10	600
	Rochester and Syracuse, N. Y., via West Shore Ry .....	12	720
	Buffalo, Lockport and Dunkirk, N. Y., via N. Y. C. Ry .....	22	1,320
18	Masonic Commandery, Ancient and Accepted Masons .....	6	360
21	Buffalo, N. Y., via Steamer Pilgrim .....	3	180
	Findlay, O., via Erie Ry .....	9	540
22	Arnot, Pa., via Erie Ry .....	7	420
	Elmira, N. Y., via Erie Ry .....	5	300
	Buffalo, N. Y., via Erie Ry .....	2	120
	Buffalo, N. Y., via Steamer Pilgrim .....	2	120
	Buffalo, N. Y., opening electric railway .....	20	1,200
	Buffalo, N. Y., Press Association .....	25	1,500
	Nickel Plate Ry, along the line .....	15	900
	Cleveland, O., via steamer .....	14	840
	Buffalo, N. Y., via N. Y. C. Ry .....	22	1,320
	Buffalo, N. Y., via B. N. F. Electric Ry .....	50	3,000
26	Lehigh Valley R. R .....	6	360
	Boston, Mass., Raymond excursion .....	1	60
27	Lehigh Valley R. R .....	6	360
	Erie R. R., Prescott excursion .....	5	300
	Pennsylvania University, foot ball team .....	1	60
		912	54,720

RECAPITULATION.

Year.	MONTH.	Number of cars.	Estimated number of visitors.
1894	October.....	83	4,980
1895	May.....	152	9,120
1895	June.....	415	24,900
1895	July .....	1,088	65,280
1895	August .....	1,921	115,260
1895	September .....	912	54,720
		4,571	274,260

AN ACT to confirm the right of way of the Niagara Falls and  
Suspension Bridge Railway Company.

*The People of the State of New York, represented in Senate and Assembly, do enact as follows :*

Section 1. The right of way of the Niagara Falls and Suspension Bridge Railway Company, as required by said company by order of the supreme court dated January twenty-sixth, eighteen hundred and eighty-three, in Canal street, in the former village of Niagara Falls (now the city of Niagara Falls), is hereby ratified and confirmed.

§ 2. The rights of said railway company were not cut off or extinguished by the proceedings of the commissioners of the State reservation at Niagara Falls, under and by virtue of chapter three hundred and thirty-six of the laws of eighteen hundred and eighty-three, and any act or acts amendatory thereof, as no compensation was awarded to said company in said proceedings.

§ 3. All acts or parts of acts inconsistent herewith, and especially section one hundred and nine of chapter five hundred and sixty-five of the laws of eighteen hundred and ninety-two, are hereby repealed in so far only as the same apply to Canal street in the city of Niagara Falls.

§ 4. This act shall take effect immediately.



# REPORT OF THE TREASURER

FOR THE

Fiscal Year Begun October 1, 1894, and Ended  
September 30, 1895.

THE COMMISSIONERS OF THE STATE RESERVATION AT NIAGARA *in account*  
*with* HENRY E. GREGORY, *Treasurer.*

1894.

Oct.	1. Balance on hand this date.....	\$3,990 79
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## RECEIPTS.

29. Quarterly advance from the State Comptroller on account of \$25,000, etc.....	\$6,250 00
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1895.

Jan.	18. Quarterly advance from the State Comptroller on account of \$25,000, etc.....	6,250 00
Apr.	18. Quarterly advance from the State Comptroller on account of \$25,000, etc.....	6,250 00
Aug.	4. Quarterly advance from the State Comptroller on account of \$25,000, etc.....	6,250 00
		<hr/>
		25,000 00

*Special appropriation as per chapter 726, Laws of 1893.*

1894.

Nov.	16. Payment by State Comptroller on account....	\$473 00
	22. Payment by State Comptroller on account....	694 33

1895.

March	6. Payment by State Comptroller on account ....	9 19
		<hr/>
		1,177 16

*Special appropriation as per chapter 358, Laws of 1894.*

1894.

Oct.	10. Payment by State Comptroller on account....	\$1,537 64
	16. Payment by State Comptroller on account....	1,349 98
	22. Payment by State Comptroller on account....	125 00
Dec.	12. Payment by State Comptroller on account....	572 54

1895.

March	6. Payment by State Comptroller on account....	\$28 44	
		<hr/>	\$3,613 60

*Special appropriation as per chapter 932, Laws of 1895.*

Aug.	16. Payment by State Comptroller on account ....	\$876 63	
Sept.	12. Payment by State Comptroller on account....	1,365 15	
	26. Payment by State Comptroller on account....	300 00	
		<hr/>	2,541 78

1894.

Nov.	1. Draft on Bank of Niagara for October receipts,	\$214 20	
Dec.	1. Draft on Bank of Niagara for November receipts .....	55 65	
	31. Draft on Bank of Niagara for December receipts .....	40 35	

1895.

Feb.	1. Draft on Bank of Niagara for January receipts .....	25 65	
March	1. Draft on Bank of Niagara for February receipts .....	9 05	
	(No receipts in March).		
May	1. Draft on Bank of Niagara for April receipts...	32 80	
June	1. Draft on Bank of Niagara for May receipts....	203 70	
	29. Draft on Bank of Niagara for June receipts...	467 15	
Aug.	1. Draft on Bank of Niagara for July receipts....	1,566 30	
Sept.	3. Draft on Bank of Niagara for August receipts.	2,539 75	
	30. Draft on Bank of Niagara for September receipts .....	1,876 25	
		<hr/>	7,030 85

1894.

Oct.	18. Dividend on deposits in Cataract Bank .....	\$56 69	
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1895.

March	28. Dividend on deposits in Cataract Bank.....	28 34	
June	29. Dividend on deposits in Cataract Bank.....	113 38	
Sept.	17. Dividend on deposits in Cataract Bank.....	56 69	
		<hr/>	255 10

1894.

Dec.	31. Interest on balances in Manufacturers and Traders' Bank.....	\$42 28	
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1895.

March	30. Interest on balances in Manufacturers and Traders' Bank .....	44 38	
June	29. Interest on balances in Manufacturers and Traders' Bank .....	52 01	
Sept.	30. Interest on balances in Manufacturers and Traders' Bank.....	23 39	
		<hr/>	162 06
			<hr/>
			\$43,771 34

EXPENDITURES.

1894.	No. of abstract.	No. of voucher.			
Nov.	1.	LXXXVII	1,138.	Pay-roll at Niagara for Octo- ber .....	\$1,477 41
			1,139.	Thomas V. Welch, supt., office expenses.....	20 94
	12.	LXXXVII	1,140.	Wm. Hamilton, comr., trav- eling expenses.....	53 70
	15.	LXXXVII	1,141.	Geo. E. Wright, repairs.....	116 74
		LXXXVII	1,142.	John Irwin, repairs.....	8 25
		LXXXVII	1,143.	P. C. Flynn & Son, painting.	64 05
		LXXXVII	1,144.	Wm. Shepard & Son, mason work.....	396 98
		LXXXVII	1,145.	Henry E. Gregory, treas. and sec., office and other ex- penses.....	38 85
					<hr/>
					\$2,176 92
Dec.	1.	LXXXVIII	1,146.	Pay-roll at Niagara for No- vember.....	\$2,222 05
		LXXXVIII	1,147.	Thomas V. Welch, supt., of- fice expenses, etc.....	47 98
	8.	LXXXVIII	1,148.	Geo. E. Wright, repairs.....	52 56
		LXXXVIII	1,149.	Estate of John Johnson, re- pairs .....	60 66
		LXXXVIII	1,150.	James O'Brien, stone.....	54 00
		LXXXVIII	1,151.	Coleman Nee, stone.....	167 63
		LXXXVIII	1,152.	Timothy Horan, stone.....	159 75
		LXXXVIII	1,153.	P. J. Davy, plumbing work, etc. ....	139 77
	12.	LXXXVIII	1,154.	Niagara Sand Co.....	167 64
	31.	LXXXVIII	1,155.	Henry E. Gregory, treas. and sec., salary October, No- vember and December...	275 00
		LXXXVIII	1,156.	Pay-roll at Niagara for De- cember .....	1,145 29
		LXXXVIII	1,157.	Thomas V. Welch, supt., of- fice expenses, etc.....	16 10
					<hr/>
					4,508 43
1895.					
Feb.	1.	LXXXIX	1,158.	Pay-roll at Niagara for Jan- uary .....	\$1,198 05
		LXXXIX	1,159.	Thomas V. Welch, supt., of- fice expenses .....	13 28
	21.	LXXXIX	1,160.	Henry E. Gregory, treas. and sec., office expenses.....	24 72
		LXXXIX	1,161.	The Courier Lithographing Co., map and guide.....	569 43
		LXXXIX	1,162.	Maloney & McCoy, ice.....	64 54



	1895.	No. of abstract.	No. of voucher.		
Feb.	21.	LXXXIX	1,163.	Hardwicke & Co., hardware, etc.....	\$17 19
		LXXXIX	1,164.	Hardwicke & Co., hardware, etc.....	21 78
		LXXXIX	1,165.	F. W. Oliver Co., iron posts..	14 40
		LXXXIX	1,166.	F. W. Oliver Co., hardware, etc.....	21 31
		LXXXIX	1,167.	D. Phillips, repairs.....	20 60
		LXXXIX	1,168.	McDonald & Welch, coal....	90 20
					<hr/>
					\$2,055 50
		XC	1,169.	Jas. McCarthy, teamster ....	\$52 50
March	1.	XC	1,170.	Wm. Hamilton, comr., travel- ing expenses .....	67 87
		XC	1,171.	Pay-roll at Niagara for Feb- ruary .....	1,199 42
		XC	1,172.	Thomas V. Welch, supt., office expenses, etc .....	47 70
	30.	XC	1,173.	Henry E. Gregory, treas. and sec., salary for January, February and December ..	275 00
		XC	1,174.	Pay-roll at Niagara for March.....	1,179 66
		XC	1,175.	Thomas V. Welch, supt., office expenses, etc.....	42 37
					<hr/>
					2,864 52
May	1.	XCI	1,176.	Pay-roll at Niagara for April.	\$1,438 42
		XCI	1,177.	Thomas V. Welch, supt., of- fice expenses, etc.....	49 77
June	1.	XCI	1,178.	Pay-roll at Niagara for May..	1,498 41
		XCI	1,179.	Thomas V. Welch, supt., of- fice expenses, etc.....	49 88
	6.	XCI	1,180.	Supplemental pay roll.....	1,012 37
	8.	XCI	1,181.	G. Chormann, repairing cush- ions .....	6 50
		XCI	1,182.	Hardwicke & Co., tools, etc..	8 56
		XCI	1,183.	Niagara Falls Printing House, stationery .....	3 50
		XCI	1,184.	P. C. Flynn & Son, painting and varnishing.....	71 65
		XCI	1,185.	G. H. Burdick, tools.....	14 90
		XCI	1,186.	Globe Ticket Co., Inclined railway tickets.....	9 00
		XCI	1,187.	F. Batchellor, grass seed....	18 00
		XCI	1,188.	F. W. Oliver Co., sundries...	7 26
		XCI	1,189.	Ellwanger & Barry, trees and shrubs.....	146 95

# COMMISSIONERS OF THE STATE RESERVATION AT NIAGARA. 43

1895.	No of abstract.	No. of voucher.			
June	8. XCI	1,190.	Niagara Sand Co., gravel....	\$29 77	
	XCI	1,191.	P. C. Flynn & Son, painting bridges.....	385 46	
	13. XCI	1,192.	T. T. Southwick, grease.....	5 00	
	XCI	1,193.	Denther & Peck, painting materials.....	130 33	
	24. XCI	1,194.	Pay-roll (supplemental).....	437 50	
	29. XCI	1,195.	Pay-roll at Niagara for June.	1,863 17	
	XCI	1,196.	Thomas V. Welch, supt., of- fice expenses.....	24 22	
	XCI	1,197.	Henry E. Gregory, treas. and sec., salary for April, May and June.....	275 00	
				<hr/>	\$7,485 62
July	17. XCII	1,198.	McDonald & Welch, coal....	\$35 00	
	XCII	1,199.	P. W. Oliver Co., tools .....	12 49	
	XCII	1,200.	Jos. Mackenna & Son, office.	9 53	
	XCII	1,201.	The Howard Iron Works, park seats.....	200 00	
	XCII	1,202.	Wm. Shepherd & Son, mason work .....	130 72	
	XCII	1,203.	P. J. Davy, plumbing .....	161 44	
	XCII	1,204.	Hardwicke & Co., tools .....	75 54	
	XCII	1,205.	The Barber Asphalt Paving Co., gravel .....	15 75	
	XCII	1,206.	The Barber Asphalt Paving Co., gravel .....	24 00	
	XCII	1,207.	Niagara Sand Co .....	14 93	
	XCII	1,208.	Jas. E. Rock, office.....	27 48	
	XCII	1,209.	Estate of John Johnson, blacksmithing .....	23 45	
	XCII	1,210.	Globe Ticket Co., tickets....	18 00	
	XCII	1,211.	Niagara Sand Co., gravel....	18 36	
	XCII	1,212.	Geo. E. Wright, carpenter...	226 73	
	XCII	1,213.	F. W. Oliver Co., hardware ..	2 64	
	XCII	1,214.	P. C. Flynn & Son, painting .	203 39	
	18. XCII	1,215.	Wm. Shepard & Son, mason work.....	140 96	
	17. XCII	1,216.	Hardwicke & Co., hardware.	105 87	
	XCII	1,217.	Howard H. Baker & Co., national flag.....	10 00	
	XCII	1,218.	Wm. Thurecht, gravel .....	19 50	
	XCII	1,219.	Deuther & Peck, painting...	18 00	
	XCII	1,220.	Niagara Falls Metal Sign Co., signs .....	13 40	
				<hr/>	1,507 18

1895.	No. of abstract.	No. of voucher.			
July	17.	XCIII	1,221. Sam'l Parsons, Jr., traveling expenses .....	\$25 00	
	18.	XCIV	1,222. Andrew H. Green, pres., traveling expenses .....	\$35 85	
Aug.	1.	XCIV	1,223. Pay-roll at Niagara for July..	1,475 16	
		XCIV	1,124. Thomas V. Welch, supt., office expenses .....	41 70	
Sept.	2.	XCIV	1,225. Pay-roll at Niagara for August	1,478 05	
		XCIV	1,226. Thomas V. Welch, supt., office expenses .....	40 30	
	17.	XCIV	1,227. J.W. Spencer, illustrations for report .....	60 00	
		XCIV	1,228. Globe Ticket Co., tickets for Inclined railway .....	42 00	
		XCIV	1,229. Hardwicke & Co., repairs, etc. ....	70 08	
	30.	XCIV	1,230. Pay-roll at Niagara for September .....	1,470 16	
		XCIV	1,231 Thomas V. Welch, supt., office expenses .....	48 76	
		XCIV	1,232. Henry E. Gregory, treas. and sec., salary for July, August and September .....	275 00	
					5,037 06

*Payments out of \$20,000 appropriated by chapter 726, Laws of 1893.*

1894.	No. of abstract. Series D.	No. of voucher.			
Nov.	17.	X	69. F. W. Oliver Co., work on bridge .....	\$473 64	
	22.	X	70. D. Phillips, work on bridge..	694 33	
					1,167 97
1895.	XI		71. Jas. McCarthy, grading ....	\$9 19	
					9 19

*Payments out of \$20,000 appropriated by chapter 358, Laws of 1894.*

1894.	Series E.				
Oct.	11.	II	24. Pay-roll at Niagara .....	\$415 25	
		II	25. Dobbie, Stuart & Co., grates,	40 15	
		II	26. W. Shepard & Son, mason work .....	452 03	
		II	27. T. E. McGarigle, blacksmithing .....	17 55	
		II	28. Fred Batchelor, seed .....	18 00	
		II	29. David Phillips, repairing bridge .....	576 66	



COMMISSIONERS OF THE STATE RESERVATION AT NIAGARA. 45

1894.		Series E.				
Oct.	11.	II	30.	Fred Batchelor, seed.....	\$18 00	
Nov.	17.	II	31.	F. W. Oliver Co .....	199 40	
		II	32.	D. Phillips, repairs to bridge,	605 08	
		II	33.	Pay-roll at Niagara .....	545 50	
Nov.	22.	II	34.	Vaux & Emery, plans and specifications.....	125 00	
					<hr/>	\$3,012 62
Dec.	13.	III	35.	F. W. Oliver Co., bridge re- pairs... ..	\$16 73	
		III	36.	Wm. Shepard & Son, bridge repairs .....	240 45	
		III	37.	David Phillips, bridge re- pairs .....	315 36	
					<hr/>	572 54
1895.						
March	6.	IV	38.	Jas. McCarthy, grading .....	\$28 44	
					<hr/>	28 44

Payments out of \$20,000 appropriated by chapter 932, Laws of 1895.

1895. Series F.					
Aug.	16.	I	1. Pay-roll at Niagara.....	\$697 75	
		I	2. Rochester Printing Co., printing.....	20 00	
		I	3. Geo. E. Matthews & Co., printing .....	19 32	
		I	4. The Courier Company, printing .....	19 72	
		I	5. The Daily Cataract, printing,	13 00	
		I	6. The Niagara Falls Gazette, printing .....	6 50	
		I	7. Union and Advertiser Co., printing.....	18 75	
		I	8. Niagara Sand Co., gravel...	62 51	
		I	9. Niagara Sand Co., gravel...	19 08	
Sept.	12.	I	10. Pay-roll at Niagara.....	834 00	
		I	11. Wm. Shepard & Son, build- ing bridge, etc.....	507 15	
		I	12. Dennis McDonald, inspector,	24 00	
	26.	I	13. Vaux & Emery, plans, etc..	300 00	
				<hr/>	2,541 78

Remittances to the State Treasurer.

1894.			
Nov.	1.	Draft for October receipts.....	\$214 20
Dec.	1.	Draft for November receipts.....	55 65
	31.	Draft for December receipts.....	40 35

1895.

Feb.	1. Draft for January receipts.....	\$25 65	
March	1. Draft for February receipts.....	9 05	
May	1. Draft for April receipts.....	32 80	
June	1. Draft for May receipts.....	203 70	
	29. Draft for June receipts.....	467 15	
Aug.	1. Draft for July receipts.....	1,566 30	
Sept.	3. Draft for August receipts.....	2,539 75	
	30. Draft for September receipts.....	1,876 25	
		<hr/>	\$7,030 85

1894:

Nov.	1. Dividend on deposits in Cataract bank.....	\$56 69	
------	---	---------	--

1895.

March	30. Dividend on deposits in Cataract bank.....	28 34	
June	29. Dividend on deposits in Cataract bank.....	113 38	
Sept.	30. Dividend on deposits in Cataract bank.....	59 69	
		<hr/>	255 10

1894.

Dec.	31. Interest on balances in Manufacturers and Traders' Bank.....	\$42 28	
------	---	---------	--

1895.

March	30. Interest on balances in Manufacturers and Traders' Bank.....	44 38	
June	29. Interest on balances in Manufacturers and Traders' Bank.....	52 01	
Sept.	30. Interest on balances in Manufacturers and Traders' Bank.....	23 39	
		<hr/>	162 06
			<hr/>
			\$40,440 78

1895.

Sept.	30. Cash balance in treasurer's hands.....	3,330 56	
		<hr/>	\$43,771 34
		<hr/>	<hr/>

HENRY E. GREGORY, *Treasurer.*

We, the undersigned, hereby certify that we have examined the foregoing report of the Treasurer, and the vouchers and other papers, and we find the report and accompanying documents correct, and that the treasurer has properly accounted for all moneys received and disbursed by him during the year ended September 30, 1895.

ROBERT L. FRYER,

WM. HAMILTON,

*Commissioners.*

CLASSIFICATION OF ACCOUNTS.

Fences .....	\$8 52
Railings .....	78 50
Stairways .....	33 89
Trees .....	146 95
Stationery.....	3 50
Water pipes.....	232 96
Ice .....	64 54
Treasurer and secretary.....	1,100 00
Police.....	5,400 00
Salaries (superintendents and clerk) .....	2,899 98
Goat island.....	1,311 75
Seed .....	18 00
Settees .....	200 00
Coal.....	125 20
Signs .....	13 40
Prospect park.....	1,762 00
Roads .....	3,252 33
Walks.....	2,431 18
Bridges .....	974 37
Buildings .....	730 09
Commissioners' expenses.....	157 42
Inclined railway.....	2,459 67
Treasurer and secretary (office expenses).....	38 57
Niagara office.....	463 81
Tools .....	261 37
Guard railing.....	50 30
Map and guide .....	569 43
Teaming.....	52 50
Grading.....	468 00
Planting .....	232 00
National flag.....	10 00
Expense.....	110 00
	<hr/>
	\$25,660 23
	<hr/>



## SPECIAL IMPROVEMENTS UNDER CHAPTER 726 OF THE LAWS OF 1893.

Bridge from Bath Island to Goat Island .....	\$1,167 97
Grading .....	9 19
	<hr/>
	\$1,177 16
	<hr/>

## SPECIAL IMPROVEMENTS UNDER CHAPTER 358 OF THE LAWS OF 1894.

Roads .....	\$733 43
Walks .....	431 50
Grading .....	263 19
Bridges .....	252 65
Seed .....	36 00
Shelter on Goat Island .....	125 00
Bridges to Goat Island .....	1,771 83
	<hr/>
	\$3,613 60
	<hr/>

## SPECIAL IMPROVEMENTS UNDER CHAPTER 932 OF THE LAWS OF 1895.

Boulder bridge .....	\$597 36
Grading .....	478 76
Roads .....	572 46
Walks .....	374 51
Printing .....	97 29
Retaining wall (Goat Island) .....	97 40
Inclined railway station .....	300 00
Shelter building .....	24 00
	<hr/>
	\$2,541 78
	<hr/>







RUSTIC BRIDGE. WILLOW ISLAND.



## Letters.

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NEW YORK, *October 17, 1894.*

HON. WALTER Q. GRESHAM,

*Secretary of State, Washington :*

DEAR SIR.—In the New York State Convention, to revise the Constitution, whose labors have recently been completed, the protection and preservation of the Falls of Niagara from injury and diminution by private corporations was the subject of extended and somewhat heated discussions.

Certain corporations claim to have obtained the right to divert large quantities of the water of the Niagara above the Falls for manufacturing purposes, both in this State and Canada.

As President of the Niagara commissioners, I have opposed the granting of these rights or licenses by the Legislature, on the ground that large diversions of the upper river will certainly be followed by a diminished flow at the Falls, and that, eventually, the grandeur of the great cataract will be impaired, the value of the State's property depreciated, and one of the sublimest objects of nature become less and less attractive.

The apologists and representatives of the corporations before the convention argued that a constitutional amendment prohibiting or limiting the diversion of the Niagara would be useless, since the corporations would be able to secure the right or license to use the water from the Ontario or Canadian authorities, and transfer their plants and bases of operations to that side of the river, with the consequent pecuniary and other material advantages.

The Falls of Niagara belong partly to Canada and partly to the United States. It would naturally be supposed, therefore, that each country would be jealous of any encroachment by the other, and that both would be equally zealous in guarding the Falls from injury or partial destruction, and that some international agreement could be speedily arrived at that would guarantee the desired exemption and protection for all time.

It is hardly necessary for me to advance arguments in favor of international protection of the Falls of Niagara against the designs of wealthy corporations. To permit the latter to inflict permanent injury upon the most famous natural object in the western hemisphere for purposes of private advantage, would be to demonstrate an indifference that would justify the ridicule and excite the contempt of foreign nations and of cultured people everywhere.

The possession of such a natural wonder must be regarded as a trust — faithlessness to which should be followed by universal condemnation.

Something, I hope, may forthwith be done to save the great cataract from the greedy grasp and destructive clutch of money-mongering corporations.

The subject is one of so great importance that it seems to me a correspondence between the United States Department of State, and the Canadian Minister of State, should be opened, with a view of learning the attitude of the Canadian government, and that proper procedure may be determined upon to effect the permanent protection of the Falls by international agreement.

Very respectfully yours,

ANDREW H. GREEN,

*President.*

NEW YORK, *October 19, 1894.*

J. W. LANGMUIR, Esq., *Chairman Commissioners Queen Victoria  
Niagara Falls Park, Toronto, Canada:*

DEAR SIR.—You are no doubt aware of the recent discussions in the New York State constitutional convention on the proposed amendment to prevent further diversion of the waters of the upper Niagara.

To prohibit the New York Legislature from granting to corporations the right or license to divert the water of the river would not, it was argued, be effectual in preventing the taking of water and the consequent diminution of the Falls, inasmuch as the Ontario authorities could still grant such rights or licenses.

In order, therefore, to exempt the river and the Falls from the attacks and depredations of the corporations, it would seem that the only course to pursue is to secure an international agreement, to the effect that hereafter no right or license to divert the water of the river shall be granted to any corporation on either side of the river.

It is quite unnecessary for me to enlarge upon the great importance of preserving the cataracts at Niagara in undiminished volume and dignity, and the equally great importance of checking the destructive designs of corporations organized for mere money-making. I trust that you will agree with me that every reasonable effort to accomplish the desired result will be cordially furthered by your board. I should be glad to hear from you on this subject at your earliest convenience, and oblige,

Very respectfully,

ANDREW H. GREEN,

*President.*



No. 214 BROADWAY, }  
NEW YORK, *July* 17, 1895. }

Hon. THEODORE E. HANCOCK,

*Attorney-General, Albany, N. Y.:*

MY DEAR SIR.—It appears that the Niagara Falls Hydraulic Power and Manufacturing Company are now actually engaged in widening a water-way from the Niagara river just above and around the Niagara Falls.

The Commissioners of the State Reservation are not aware of any lawful authority to increase the take of water from the river by this company, nor indeed to take any water from the river.

The commissioners therefore respectfully request the Attorney-General to enquire as promptly as possible in this matter, and to advise them whether this company has any statutory authority to take water from the Niagara river and, if none exists, to take the necessary measures to protect the interests of the State in the premises.

Will you please let me hear from you on this matter as early as practicable, and oblige,

Yours very respectfully,

ANDW. H. GREEN,

*President.*

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*July* 18, 1895.

Hon. THEODORE E. HANCOCK,

*Attorney-General, Albany, N. Y.:*

DEAR SIR.—Supplementing my letter of yesterday respecting the taking of water from the Niagara river, as the work of widening the channel of the canal of the company mentioned in that letter is now actually going on, I will submit it to your judgment whether immediate proceedings should not be taken to stop this work.

Would you favor me with a line indicating the proceedings that you propose to take in the premises, and much oblige,

Yours very respectfully,

ANDW. H. GREEN,

*President.*

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STATE OF NEW YORK:

ATTORNEY-GENERAL'S OFFICE,

ALBANY, *November 16, 1895.*

Hon. ANDREW H. GREEN,

*President Niagara Reservation Commission, New York City:*

DEAR SIR.—Some time ago the question of the right of the Niagara Falls Hydraulic Power and Manufacturing Company to enlarge the capacity of their canal, by which a portion of the water of the Niagara river is diverted for manufacturing purposes, was submitted to me for examination by you. The question is one involving great interests, not only to the corporation referred to, but to the State itself, and I have therefore considered it with a great deal of care, before venturing to express an opinion.

The facts in the case may be briefly stated. The canal in question was originally constructed in the year 1859. Its dimensions were seventy feet wide by fourteen feet deep. The inlet is at Port Day, about one mile above the Falls, and it runs through a strip of land 100 feet wide, to the mills on the bank of the river below the Falls, where the waters, after supplying power to various industries, are discharged into the river.

About the year 1878, the title to the land in the 100 foot strip, as I am informed by Mr. Schoelkopf, of Niagara Falls, was acquired by the present owners, since which time the canal has been in active operation, and has supplied power to mills of a sufficient capacity to

employ a large number of hands, residents of the City of Niagara Falls, and whose continued prosperity, to a very large degree, is dependent upon the operation of the mills in which they are employed. Some time after the acquisition of title to the strip of land by the present owners, they made application to the Land Commissioners of the State of New York for a grant of land under water adjoining the inlet to the canal.

In the papers submitted on that application it was stated to be the intention of the owners to increase the capacity of the canal, and thereby increase its production of horse power. The grant was made by the commissioners, with the condition that no structures were to be built upon the granted land without the consent of the Niagara Reservation Commission. Thereafter, application was made to the Reservation Commission for leave to erect cribs on the land under water, the purpose of which was to prevent the flow of ice and other refuse into the canal, to the detriment of the interests of the Niagara Falls Hydraulic Power and Manufacturing Company.

The capacity of the canal at that time, if I am correctly informed was 200,000 cubic feet per minute. No objection was made (at least publicly) to this diversion of the waters of the river at that time. Since then, however, various grants of privileges by the Legislature of the State have been given to several corporations, to divert the waters of the Niagara river for power purposes. In consequence of these grants apprehension has been created as to the probable effect upon the flow of water over the Falls, and your commission, actuated by commendable zeal to protect the great natural beauty of the Reservation, have determined that further encroachments upon the stream shall be prevented, if possible

The law under which your board was created (chapter 336, Laws of 1883) states that the object of the creation of the commission was to preserve the scenery of the Falls of Niagara. It provides for the condemnation of the lands to be selected by the commission, and for



the compensation to be paid to the owners of the property condemned. In carrying out the provisions of the law several million dollars have been expended by the State of New York, which will be converted into a mere waste of public moneys, if the flow of water over these Falls is to be seriously diminished.

While this is, of course, a very serious consideration, I have not permitted myself to lose sight of the importance to the industries dependent upon the maintenance of the canal for their power, which action on the part of the State authorities will have.

It is a very grave duty to be compelled to pass upon public questions wherein such great private interests are concerned. Nevertheless, it is one which I see no way to escape, and, while from certain considerations, I would be pleased to arrive at a different conclusion, I am compelled to hold, from my examination of the law on the subject, that the Niagara Falls Hydraulic Power and Manufacturing Company may be restrained from increasing the capacity of the canal. It is only fair, however, that my reasons for this conclusion should be stated. They are as follows:

The Niagara river is a public, navigable stream, to the bed of which and the water flowing over it, the State and not the riparian owner, has title.

It would be a waste of time to attempt to show why this proposition is correct. It is sufficient to say that it has been amply supported by judicial decisions and is now the established law.

*Ill. C. R. R. Co. v. Ill.*, 146 U. S., 387.

*Smith v. Rochester*, 92 N. Y., 479.

*Matter of St. Reservation*, 16 Abb. N. C., 395.

The sole question, therefore, for determination is, "Can an owner of the soil adjoining a navigable stream divert the water for private manufacturing purposes without the consent of the State?" Let us examine it.

By the term "navigable," it must be remembered, is not meant "capable of being navigated." As used in this discussion, "navigable stream" means one which is navigable in the legal sense. Rivers may be navigable in fact but not in law, or they may be navigable in law but only in part navigable in fact. A mere local interruption of actual navigability, therefore, will not change the character of a stream in its legal aspect.

The river being navigable, in the legal sense, the title to the bed of the stream and to the water flowing over it is in the State, at least to the boundary line between the State and Canada.

*People v. Appraisers*, 33 N. Y., 464.

*Crill v. Rome*, 47 How. Pr., 398.

*Morgan v. King*, 35 N. Y., 454.

*People v. Tibbetts*, 19 N. Y., 523.

*Ex parte Jennings*, 6 Cow., 518.

Therefore, leaving out of view for the present the grant of land under water to the Hydraulic Power and Manufacturing Company, the State could unquestionably deprive the corporation of all use of the waters of the river for power purposes by devoting the stream to other public use.

*Smith v. Rochester*, 92 N. Y.

Whether or not that has been done by the laws establishing the Niagara Reservation, I will discuss hereafter. I prefer at this point to consider the abstract question of the right of an owner of land adjoining a navigable stream to divert a considerable portion of the waters for manufacturing purposes, without a grant or prescriptive right.

Nuisances may always be abated by action in the name of the aggrieved party. Public nuisances include any encroachment upon highways or navigable streams, and it is not an essential characteristic of the encroachment upon the stream that it should be an actual hindrance to navigation.

Wood on Nuisances, 2d Ed., Secs. 478-480, and cases cited.

The diversion of water from a public stream for any other than domestic purposes is a nuisance, and therefore may be abated at the suit of the Attorney-General.

*Philadelphia v. Gelmartin*, 71 Penn. St., 140.

The Niagara Falls Hydraulic Power and Manufacturing Company is organized under the act of 1875, chapter 611. Its objects are declared to be the development of the hydraulic canal in Niagara Falls, and the establishment and conducting of various manufacturing interests. Under its charter it is not only supplying its own mills but is furnishing other industries with power for a consideration. So far as the latter fact is concerned, certainly no question can be raised as to the rights of a riparian owner to the use of water for his own benefit. I assume the fact that the capacity of the canal at the outset was sufficient for all the purposes of the power company, and that the increased capacity is desired for the purpose of enabling the corporation to derive a revenue from its sale of power to others. I have no hesitation in declaring this to be unlawful. A non-riparian owner is not entitled to any benefits of a stream other than those enjoyed in common by the public, and a riparian owner at the most is entitled only to personal benefits derivable from use devoted to personal purposes solely. They do not include the transmission of power to property located upon premises may be far removed from the lands of the riparian owner.

The case last cited was an action brought by the owner of a boat which had been prevented from navigating the Schuylkill, by reason of the diversion of the waters of that stream by the city of Philadelphia for domestic or other purposes. The court in its opinion says

“In deciding upon the question of illegality in drawing off the water from the navigation, we are carried beyond its use for power, to inquire into the character of the consumption claimed as an overruling necessity. We have already seen that the city is a large vendor of water from which she is deriving revenue, for all the purposes of the



arts, manufacturing, business and pleasure. These uses are not domestic, that is, such as are for the preservation of the life and health of the population and their creatures, but are simply utilitarian or business uses, and far exceed those needed for domestic purposes. And even as to those termed domestic, a distinction must be noted between the use proper and that which is lavishly expended in pavement washing, baths, etc. It is perfectly obvious, therefore, that the city drew off water not only for driving and lifting power, but for a consumption far beyond any imperious necessity, and for purposes wholly subordinate to the right of navigation. She chose to prefer the pecuniary interests of her citizens and doing an injury thereby, she must make compensation to the injured parties. I mean not by these remarks to draw any comparison between the importance of the use of the water for the great purposes of industry, wealth and cleanliness, of a city so populous as Philadelphia, and the use of it for navigation during a few days of drought. The question for us is that of legal right, not comparative weight. Such important interests as those of the city are not likely to lead to the substitution of might for right; yet, they are not of that imperious necessity which justifies might, and changes wrong into right. Administrators of the law, we can not bend or break the law before a large interest, more than we can before one that is small. The doctrine of imperious necessity is not in this case."

It is historical that the Niagara river at Port Day has been navigated by vessels of large burden, and, indeed, to a point some distance below. The erection of cribs to divert ice and other refuse from the canal inlet is, therefore, an actual obstruction to navigation, and it is not necessary to show present use of the river at this point for navigation purposes. Once a highway, always a highway, is true of navigable streams. (See *Yolo v Sacramento*, 36 Cal., 193; *Wood on Nuisances*, 478, 485).

*Ex parte Jenkins* (6 Cowen, 518), is also of interest on this point. That was a proceeding brought in mandamus to compel commissioners appointed to appraise damages occasioned by the diversion of the stream of the Chittenango, for the purposes of the Erie canal, which diversion prevented the use of the water of the stream by riparian owners for power purposes in operating mills. The court, in awarding mandamus, says :

“The objection is contained in the affidavits of Mr. Seymour, that in point of fact, the State had not parted with the land upon which the Chittenango passes, at the places claimed, but had bounded purchases of land on the margin of the stream ; so that, as he believes, (and he believes the other appraisers were satisfied of the fact being so) the State was still the owner of the land covered by the waters of the stream, and had not parted with it or contracted to part with it, to any person whatever ; or authorized the use of the water for hydraulic purposes at the places in question. If the construction set up by the commissioners be the true one, if the State owns the land covered by the water, it is clear that, though the relators may be entitled to the use of the water flowing by and touching upon them, for all ordinary purposes, yet they can not build mills upon and raise the water of the stream. They are trespassers, and the State may claim not only the waters, but the mills themselves, so far as they encroach upon the stream.”

I will not consider the effect of the grant by the Land Commissioners, of lands under water to the corporation operating the canal.

The powers of the Land Commissioners, at the time the grant was made, were conferred by section 67, page 633, volume one, eighth edition, Revised Statutes. It reads :

“The Commissioners of the Land Office shall have power to grant, in perpetuity or otherwise, so much of the lands under the waters of navigable rivers or lakes as they shall deem necessary to promote the



commerce of this State, or proper for the purpose of beneficial enjoyment of the same by the adjacent owner."

The Court of Appeals, in passing upon the character of such grant, says: "In every such grant there was an implied reservation of the public right, and so far as it assumed to interfere with it, or to confer the right to impede or obstruct navigation, or to make an exclusive appropriation of the use of navigable waters, the grant was void."

Again: "Public grants to individuals under which rights are claimed in impairment of public interests, are construed strictly against the grantee, for it is reasonable to suppose that if they were intended to have this operation, the intention would have been expressed in plain and explicit language."

People v. N. Y. & Staten Island Ferry Co., 68 N. Y., 71.

I have been unable to find any language in the grant to the Niagara Falls Hydraulic Power and Manufacturing Company which can be construed as authorizing them to divert the waters of the Niagara river. Applying the principles in the case last cited, it is certain that that grant can afford no defense to an action brought to restrain the unlawful taking of the waters.

It now remains to determine whether or not the waters of the Niagara river have been devoted by the Legislature to a public use to an extent that will prevent the diversion of the water above the Falls for power purposes. The objects and purposes of the statutes creating the Niagara Reservation were to preserve a great natural waterfall and its environments for the enjoyment of the people of this State. In fact, the statutes themselves declare that the commissioners shall take all proper steps to restore and afterwards to preserve the scenery as nearly in its natural state as possible.

The flow of water over the Falls is an essential element in the preservation of the scenery, and if it can be shown (as I am informed it



can) to be the fact that the diversion of the large quantities of water through the canal of the Niagara Falls Hydraulic Power and Manufacturing Company has a diminishing effect upon the flow of the water over the Falls, the diversion is a nuisance and can be restrained

All of which is respectfully submitted.

T. E. HANCOCK,

*Attorney-General.*









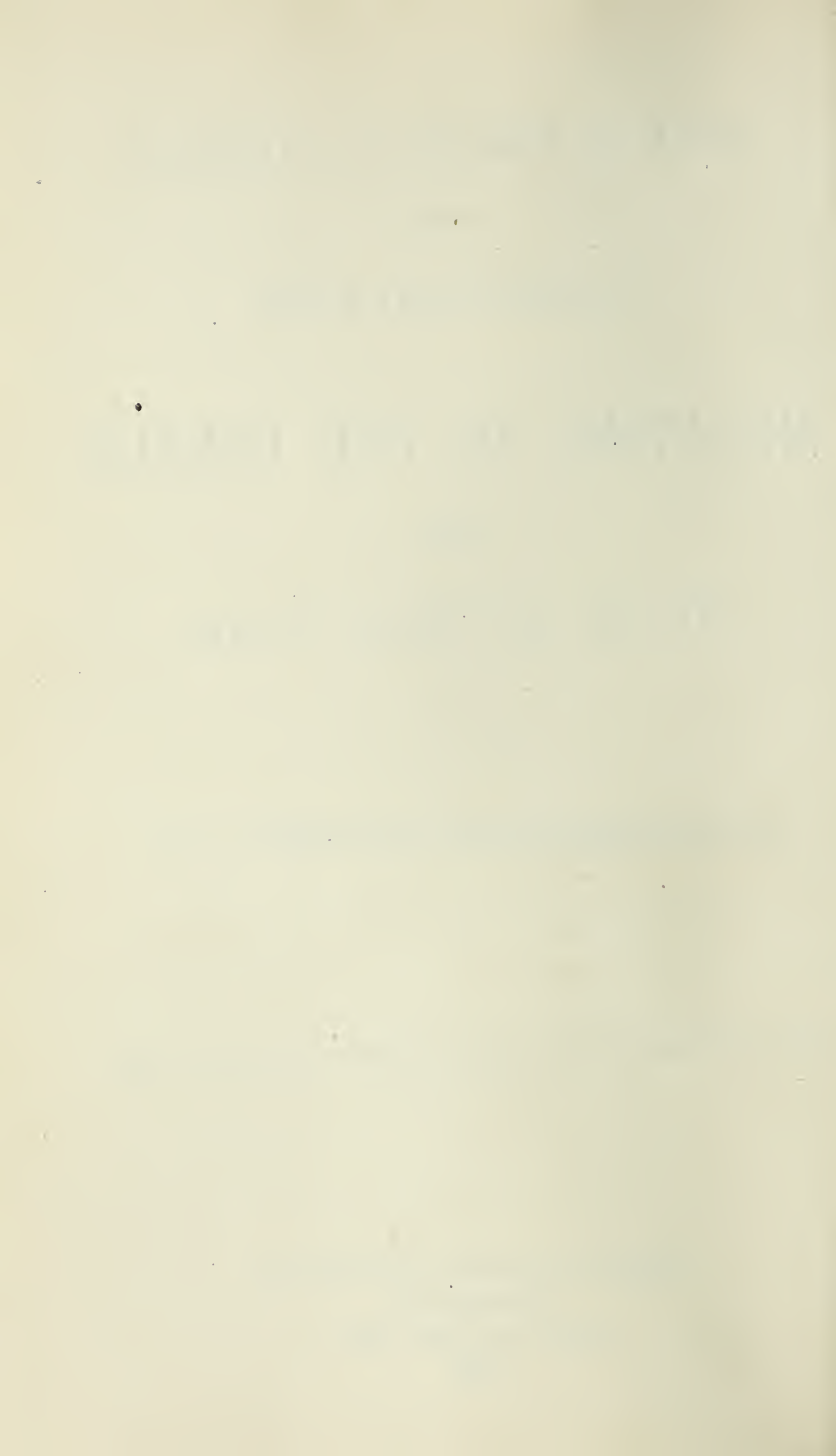
ANNUAL FINANCIAL REPORT  
OF THE  
COMPTROLLER  
RELATING TO THE CANALS  
OF THE  
STATE OF NEW YORK,  
FOR THE YEAR ENDING SEPTEMBER 30, 1895.

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TRANSMITTED TO THE LEGISLATURE JANUARY 24, 1896.

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WYNKOOP HALLENBECK CRAWFORD CO.,  
STATE PRINTERS,  
ALBANY AND NEW YORK.  
1896.





# STATE OF NEW YORK.

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No. 41.

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## IN ASSEMBLY,

JANUARY 27, 1896.

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### ANNUAL FINANCIAL REPORT

OF THE

## Comptroller Relative to the Canals.

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STATE OF NEW YORK:

BUREAU OF CANAL AFFAIRS,  
COMPTROLLER'S OFFICE, ALBANY, *January 24, 1896.* }

*To the Speaker of the Assembly:*

Sir.— I have the honor herewith to transmit to the Legislature the Annual Financial Report relating to the Canals, for the fiscal year ending September 30, 1895.

I am, respectfully,

Your obedient servant,

JAMES A. ROBERTS,

*Comptroller.*



# R E P O R T.

## STATE OF NEW YORK:

BUREAU OF CANAL AFFAIRS, COMPTROLLER'S OFFICE, }  
ALBANY, *December 31, 1895.*

### *To the Legislature:*

In pursuance of chapter 69 of the Laws of 1883 the Comptroller herewith submits the annual statements required to be reported to the Legislature at the commencement of each session, of the receipts and payments on account of the canals and the canal debt, the balance of the funds on hand and in the treasury, the depositories of the same, and the condition thereof at the close of the fiscal year ended September 30, 1895.

Document No. 1 is a recapitulation of the several succeeding exhibits numbered to thirty-seven, inclusive, showing the receipts and payments on account of the Sinking Fund for the payment of the principal and the interest of the canal debt, and of the several funds belonging to the several canals of the State, and the condition of the several funds appropriated by law for ordinary and extraordinary repairs, and for the enlargement of the canals.

It is shown by said document that on the 1st of

October, 1894, there was in the treasury and invested, belonging to the Canal Fund the sum of. . . . .	\$445,102 67
Received from all sources during the fiscal year which ended September 30, 1895. . . . .	1,011,842 48
Total. . . . .	<u>\$1,456,945 15</u>
Paid during the same period. . . . .	<u>1,370,588 73</u>
Leaving a balance September 30, 1895. . . . .	<u><u>\$86,356 42</u></u>

Said balance is deposited in sundry banks, as shown by Document No. 39.



## COMPARATIVE STATEMENT.

The following statement shows the aggregate payments on account of the ordinary repairs and maintenance of the canals for the last two fiscal years:

	1894.	1895.
To section superintendents, for ordinary repairs.....	\$439,246 30	\$468,345 22
To Superintendent of Public Works, for ordinary repairs....	245,710 48	229,161 69
To division engineers, for ordinary repairs. . . . .	30,671 48	30,500 00
For collection of statistics.....	27,437 24	18,304 18
Salaries and miscellaneous expenses, chargeable to maintenance.	37,595 94	42,849 74
	<hr/>	<hr/>
	\$780,661 44	\$789,160 83
	<hr/> <hr/>	<hr/> <hr/>

Document No. 39, on another page of this report, is a statement showing the balance on hand September 30, 1895, how deposited, and the names of the accounts to which it belongs.

Respectfully submitted,

JAMES A. ROBERTS,

*Comptroller.*

# DOCUMENTS

ACCOMPANYING THE

## REPORT OF THE COMPTROLLER.

(No. 1.)

There was on deposit in sundry banks to the credit of the Treasurer of the State, on account of the Canal Fund, on the 30th of September, 1894 (see page 22 of the last report), the sum of . . . . .	\$445,102 67
Received during the fiscal year ending September 30, 1895, viz.:	
Sinking Fund for the redemption of the debt for the enlargement and completion of the canals..	530 72
Fund for extraordinary repairs.....	524,549 63
Fund for the enlargement of the Erie, the Oswego, etc. . . . .	873 48
Contractors' deposit fund.....	106 14
Fund for ordinary repairs.....	472,483 05
Erie and Champlain canals.....	12,781 92
Oswego canal.....	227 36
Cayuga and Seneca canal.....	287 38
Black River canal. . . . .	2 80
	<hr/>
	\$1,456,945 15

Paid during the same period,  
viz.:

Sinking Fund for the redemption of the debt for the enlargement and completion of the canals....	\$1,250 00	
Fund for extraordinary repairs..	904 11	
	<hr/>	<hr/>
Carried forward.....	\$2,154 11	\$1,456,945 15

Brought forward .....	\$2,154 11	\$1,456,945 15
Erie canal enlargement.....	21,707 07	
Erie and Champlain canals.....	1,039,062 17	
Oswego canal.....	110,523 79	
Cayuga and Seneca canal.....	52,037 47	
Black River canal.....	111,647 56	
Chenango canal.....	12,454 48	
Chemung canal.....	14,943 29	
Oneida Lake canal.....	370 40	
Genesee Valley canal.....	5,688 39	
	<hr/>	1,370,588 73

Leaving a balance deposited in sundry banks September 30, 1895, of.....		\$86,356 42
In addition to the above balance there is in the hands of Superintendent of Public Works.....		607 66
		<hr/>
		\$86,964 08

Of the above amount there belongs to Sinking Fund for redemption of canal debt.....		\$160 00
Sinking Fund for the redemption of the debt for the enlargement and completion of the canals..		20,717 67
Contractors' deposit fund.....		4,109 94
Fund for ordinary repairs.....		47,778 39
Fund for extraordinary repairs.....		6,794 51
Fund for the enlargement of the Champlain canal. . . . .		1,065 67
Fund for the enlargement of the Erie, the Oswego, etc. . . . .		20,717 67
		<hr/>
		\$86,964 08



SINKING FUND FOR THE REDEMPTION OF THE CANAL  
DEBT.

*(Under article 7, section 1 of the Constitution.)*

(No. 2.)

Balance on hand September 30, 1894.....	\$160 00
	<hr/> <hr/>

(No. 3.)

Balance on hand September 30, 1895.....	\$160 00
	<hr/> <hr/>

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SINKING FUND FOR THE REDEMPTION OF THE CANAL  
DEBT.

*Under article 7, section 3 of the Constitution.)*

(No. 4.)

Balance on hand September 30, 1894.....	\$61,436 95
Received, viz.:	
Interest on deposits.....	530 72
	<hr/>
	\$61,967 67
	<hr/> <hr/>

(No. 5.)

Paid, viz.:	
Bank of Manhattan Company, for keeping transfer office for year ending June 30, 1895.....	\$1,250 00
Transferred to fund for enlargement and comple- tion of the canals, being a temporary invest- ment in taxes.....	40,000 00
Balance on hand September 30, 1895.....	20,717 67
	<hr/>
	\$61,967 67
	<hr/> <hr/>

## FUND TO PROVIDE FOR EXTRAORDINARY REPAIRS.

(No. 6.)

Balance on hand September 30, 1894.....	\$3,304 64
Received, viz.:	
Transferred from taxes of 1893, on account of appropriation for new work and extraordinary repairs by chapters 5, 14, 57, 60, 88, 93, 94, 110, 113, 119, 136, 137, 153, 161, 197, 224, 244, 294, 328, 336, 395, 482, 560, 561, 562, 563, 567, 569, 643, 648, 658, 683 and 726, Laws of 1893.....	174,549 63
Transferred from taxes of 1894, on account of appropriations for new work and extraordinary repairs by chapters 24, 40, 84, 130, 141, 145, 278, 335, 342, 345, 358, 359, 385, 409, 423, 424, 462, 466, 470, 559, 560, 561, 570, 571, 572, 573, 575, 576, 588, 591, 592, 594, 652, 653, 655, 668 and 768, Laws of 1894.....	350,000 00
	<hr/>
	\$527,854 27
	<hr/> <hr/>

(No. 7.)

Paid, viz.:	
Transferred to sundry fund accounts for extraordinary repairs and improvements, viz.:	
Fund of Erie and Champlain canals.....	\$337,821 99
Fund of Oswego canal.....	53,293 35
Fund of Chenango canal.....	10,562 58
Fund of Black River canal.....	62,006 63
Fund of Chemung canal.....	14,411 40
Fund of Cayuga and Seneca canal.....	36,371 31
Fund of Genesee Valley canal.....	5,688 39
For interest on temporary loan.....	904 11
Balance on hand September 30, 1895.....	6,794 51
	<hr/>
	\$527,854 27
	<hr/> <hr/>

## TAXES OF 1893.

(No. 8.)

Received, viz.:

From the treasury, pursuant to chapter 89, Laws of 1893. . . . .	\$216,032 53
From the treasury, pursuant to chapter 562, Laws of 1893. . . . .	174,549 63
	<hr/>
	\$390,582 16
	<hr/> <hr/>

(No. 9.)

Paid, viz.:

Transferred to the fund for ordinary repairs, amount appropriated by chapter 89, Laws of 1893,	\$216,032 53
Transferred to the fund for extraordinary repairs on account of sundry appropriations for new work and extraordinary repairs. . . . .	174,549 63
	<hr/>
	\$390,582 16
	<hr/> <hr/>

## TAXES OF 1894.

(No. 10.)

Received, viz.:

From the treasury, pursuant to chapter 297, Laws of 1894. . . . .	\$250,000 00
From the treasury, pursuant to chapter 769, Laws of 1894. . . . .	350,000 00
	<hr/>
	\$600,000 00
	<hr/> <hr/>



## (No. 11.)

Paid, viz.:

Transferred to the fund for ordinary repairs, on account of appropriation by chapter 297, Laws of 1894.....	\$250,000 00
Transferred to the fund for extraordinary repairs on account of sundry appropriations for new work and extraordinary repairs.....	350,000 00
	<hr/>
	\$600,000 00
	<hr/> <hr/>

FUND FOR THE ENLARGEMENT OF THE ERIE, THE OSWEGO, AND CAYUGA AND SENECA CANALS, AND FOR THE COMPLETION OF THE BLACK RIVER AND GENESEE VALLEY CANALS, AND FOR OTHER PURPOSES.

(Article 7, section 3 of the Constitution, and chapter 329, Laws 1854.)

## (No. 12.)

Balance on hand, September 30, 1894.....	\$23,974 90
Received, viz.:	
Interest on deposits.....	873 48
Transferred from Sinking Fund, article VII, section 3, as an advance on tax authorized by chapter 769, Laws of 1894.....	40,000 00
	<hr/>
	\$64,848 38
	<hr/> <hr/>

## (No. 13.)

Paid, viz.:

Transferred to sundry fund accounts for payment of awards of the Board of Claims, the interest thereon, and the cost of surveys and maps for use in claims before said board, viz.:	
Fund of Erie and Champlain canals.....	\$11,779 39
Fund of Erie canal enlargement.....	21,707 07
Fund of Oswego canal.....	21,491 97
	<hr/>
Carried forward.....	\$54,978 43

Brought forward.....	\$54,978 43
Fund of Black River canal.....	341 78
Fund of Oneida Lake canal.....	370 40
Fund of Cayuga and Seneca canal.....	2,287 98
Fund of Chemung canal.....	531 89
Balance on hand September 30, 1895.....	6,337 90
	<hr/>
	\$64,848 38
	<hr/> <hr/>

FUND FOR THE ENLARGEMENT OF THE CHAMPLAIN CANAL.

(No. 14.)

Balance on hand September 30, 1894.....	\$1,065 67
	<hr/> <hr/>

(No. 15.)

Balance on hand September 30, 1895.....	\$1,065 67
	<hr/> <hr/>

DEPOSITS OF CONTRACTORS TO SECURE THE PERFORMANCE OF CONTRACTS FOR NEW WORK AND EXTRAORDINARY REPAIRS.

(No. 16.)

Balance on hand September 30, 1894.....	\$4,003 80
---	------------

Received, viz.:

Interest on deposits.....	106 14
	<hr/>
	\$4,109 94
	<hr/> <hr/>

(No. 17.)

Balance on hand September 30, 1895.....	4,109 94
	<hr/> <hr/>

FUND FOR ORDINARY REPAIRS.

(No. 18.)

Balance on hand September 30, 1894.....	\$357,985 61
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Received, viz.:

Interest on deposits.....	6,450 52
	<hr/>

Carried forward .. . . .	\$364,436 13
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Brought forward.....	\$364,436 13
Transferred from taxes of 1893 on account of amount appropriated by chapter 89, Laws of 1893, for superintendence, maintenance and ordinary repairs of the canals for the fiscal year ending September 30, 1894.....	216,032 53
Transferred from taxes of 1894, on account of amount appropriated by chapter 297, Laws of 1894, for superintendence, maintenance and ordinary repairs of the canals for the fiscal year ending September 30, 1895.....	250,000 00
Transferred from sundry fund accounts, miscellaneous receipts during the fiscal year, viz.:	
Fund of Erie and Champlain canals. . . . .	\$5,953 02
Fund of Oswego canal.....	227 36
Fund of Cayuga and Seneca canal,	287 38
Fund of Black River canal.....	2 80
	<hr/>
	6,470 56
	<hr/>
	\$836,939 22
	<hr/> <hr/>

(No. 19.)

Paid, viz.:

Transferred to sundry fund accounts for payment of expenses of superintendence, maintenance and ordinary repairs of the canals, for fiscal year ending September 30, 1895, viz.:	
Fund of Erie and Champlain canals.....	\$688,853 13
Fund of Oswego canal.....	35,738 47
Fund of Cayuga and Seneca canal.....	13,378 18
Fund of Black River canal.....	49,299 15
Fund of Chenango canal.....	1,891 90
Balance on hand September 30, 1895.....	47,778 39
	<hr/>
	\$836,939 22
	<hr/> <hr/>



## FUND OF THE ERIE CANAL ENLARGEMENT.

(No. 20.)

Received, viz.:

Transferred from the fund for the enlargement of the Erie, the Oswego, etc.....	\$21,707 07
--	-------------

(No. 21.)

Paid, viz.:

Edward Hannan, Superintendent of Public Works, for payment of awards of the Board of Claims..	\$6,150 80
To George W. Aldridge, Superintendent of Pub- lic Works, for payment of awards of the Board of Claims. . . . .	14,933 07
Interest on awards.....	623 20
	<hr/>
	\$21,707 07

## FUND OF THE ERIE AND CHAMPLAIN CANALS.

(No. 22.)

Received, viz.:

Balance in hands of Edward Hannan, Superin- tendent of Public Works, September 30, 1894..	\$6,828 90
Rent of surplus water.....	500 00
For old material sold.....	871 72
For sale of permits to cut ice.....	300 79
For use of tugs, dredges and pump boats.....	418 50
For lockages at ship lock, Buffalo.....	1,483 00
From sundry persons, for unexpended balances in their hands, viz.:	
Executors of John Bisgood, late D. E. . . . .	\$1,518 16
James H. Boyland, section super- intendent. . . . .	41 34
James Collins, section superin- tendent. . . . .	2 95
	<hr/>
Carried forward.....	\$1,562 45
	<hr/>
	\$10,402 91



Brought forward . . . . .	\$1,562 45	\$10,402 91
John W. Manley, section superintendent. . . . .	20 45	
Edwin Lodder, section superintendent. . . . .	42 19	
J. H. Hamilton, section superintendent. . . . .	20 25	
Edgar D. Miller, section superintendent. . . . .	160 00	
John L. Gunsaul, section superintendent. . . . .	46 48	
Robert C. Turner, section superintendent. . . . .	25	
John W. Eustes, section superintendent. . . . .	15 54	
John H. Ganley, section superintendent. . . . .	24	
Sylvester Mahan, section superintendent. . . . .	6 25	
	<hr/>	1,874 10
Fees for filing mortgages and making copies and searches, Bureau Canal Affairs. . . . .		344 66
Sale of abandoned land. . . . .		111 00
Fines and miscellaneous receipts. . . . .		49 25
Transferred from sundry accounts, viz.:		
Fund for the enlargement of the		
Erie, the Oswego, etc. . . . .	\$11,779 39	
Fund for extraordinary repairs. . . . .	337,821 99	
Fund for ordinary repairs. . . . .	688,853 13	
	<hr/>	1,038,454 51
Balance in hands of George W. Aldridge, Superintendent of Public Works. . . . .		607 66
		<hr/>
		\$1,051,844 09
		<hr/>

(No. 23.)  
ERIE CANAL.

Paid, viz.:

To Edward Hannan, Superintendent of Public Works, for ordinary repairs. . . . .	\$38,348 74	
To George W. Aldridge, Superintendent of Public Works, for ordinary repairs. . . . .	148,317 94	
To section superintendents, for ordinary repairs and salaries. . .	319,003 10	
To division engineers, for ordinary repairs. . . . .	30,500 00	
<hr/>		
Total for ordinary repairs. . . . .		\$536,169 78
To Edward Hannan, Superintendent of Public Works, for extraordinary repairs. . . . .	\$67,336 33	
To George W. Aldridge, Superintendent of Public Works, for extraordinary repairs. . . . .	116,645 63	
To division engineers, for extraordinary repairs. . . . .	30,361 60	
<hr/>		
Total for extraordinary repairs. . . . .		214,343 56
For collecting statistics, viz.:		
For office of Superintendent of Public Works and miscellaneous payments. . . . .		
	\$2,784 86	
For collector's office, Albany. . . . .	1,061 14	
For collector's office, West Troy. . .	1,388 09	
For collector's office, Rome. . . . .	180 00	
For collector's office, Syracuse. . . .	866 37	
For collector's office, Rochester. . .	564 44	
For collector's office, Tonawanda. . .	823 62	
For collector's office, Buffalo. . . . .	5,721 87	
<hr/>		
		13,390 39
<hr/>		
Carried forward. . . . .		\$763,903 73
[Assembly, No. 41.] 3		

Brought forward.....	\$763,903 73
For deepening and improving outlet of Honeoye lake, Michael Bennett, contractor.....	1,945 28
To Buffalo Engineering Company for plans and specifications for bridge at West avenue, Rochester. ....	1,721 69
To Chauncey Wichtuman, superintendent of ditching in Niagara county, pursuant to chapter 409 of the Laws of 1894.....	8,000 00

## CHAMPLAIN CANAL.

To Edward Hannan, Superintendent of Public Works, for ordinary repairs.....	\$3,814 37
To George W. Aldridge, Superintendent of Public Works, for ordinary repairs.....	15,906 96
To section superintendents, for ordinary repairs and salaries.....	73,809 08
<hr/>	
Total for ordinary repairs.....	93,530 41
To Edward Hannan, Superintendent of Public Works, for extraordinary repairs.....	\$22,958 37
To George W. Aldridge, Superintendent of Public Works, for extraordinary repairs.....	77,338 78
To division engineers for extraordinary repairs.....	11,514 31
<hr/>	
Total for extraordinary repairs.....	111,811 46
To Edward Hannan, Superintendent of Public Works, for awards of Board of Claims.....	\$2,023 82
To George W. Aldridge, Superintendent of Public Works, for awards of Board of Claims.....	625 00
For interest on awards.....	34 84
<hr/>	
	2,683 66
<hr/>	
Carried forward. ....	\$983,596 23



Brought forward.....		\$983,596 23
For collecting statistics, viz.:		
For collector's office, Waterford.	\$1,072 27	
For collector's office, Fort Edward. . . . .	648 00	
For collector's office, Whitehall..	1,192 54	
	<hr/>	2,912 81
To Fort Miller Bridge Company, for use of towing path bridge across Hudson river.....		1,000 00

MISCELLANEOUS.

For traveling expenses of State Engineer and Surveyor, viz.:		
To Campbell W. Adams, State Engineer and Surveyor.....	\$918 46	
To Herschel Roberts, Deputy Engineer and Surveyor.....	81 54	
	<hr/>	1,000 00
For salary and travel of Superintendent of Public Works and assistants:		
Edward Hannan, Superintendent, salary. . . . .	\$2,467 74	
Edward Hannan, Superintendent, travel. . . . .	15 50	
Geo. W. Aldridge, Superintendent, salary. . . . .	3,532 26	
Geo. W. Aldridge, Superintendent, travel. . . . .	323 12	
George E. Simmons, Assistant Superintendent, salary.....	1,410 71	
George E. Simmons, Assistant Superintendent, travel.....	52 44	
John N. Parker, salary.....	1,589 29	
John N. Parker, travel.....	307 31	
James H. Flanagan, salary.....	1,410 71	
James H. Flanagan, travel.....	218 58	
Thomas Wheeler, salary.....	1,589 29	
Thomas Wheeler, travel.....	205 64	
	<hr/>	
Carried forward.....	\$13,122 59	\$988,509 04



Brought forward.....	\$13,122 59	\$988,509 04
Charles McDonough, salary.....	1,410 71	
Charles McDonough, travel.....	302 79	
Richard G. Lay, salary.....	1,589 29	
Richard G. Lay, travel.....	160 45	
	<hr/>	16,585 83

For clerk hire and office expenses of the Superintendent and Assistant Superintendents of Public Works, viz.:

*Superintendent's office.*

Edward L. Walsh, clerk.....	\$2,199 96
T. I. Hardin, clerk .....	1,699 92
Thomas A. Galvin, clerk.....	1,082 19
John F. Collins, clerk.....	699 96
John J. Kenna, clerk.....	600 00
Charles E. Hannan, clerk.....	1,299 96
P. J. McWeeney, clerk.....	1,458 31
W. M. Mead, clerk.....	916 65
Robert H. Hunter, clerk.....	766 64
C. D. Wing, clerk.....	460 00
Stationery and printing.....	872 31
Postage, etc. . . . .	114 40
Telegraph and telephone.....	635 36
Typewriting. . . . .	75 00
Typewriters and cabinets.....	222 50
Furniture, etc. . . . .	465 44
Rent of Rochester office.....	340 00
Miscellaneous. . . . .	174 78

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14,083 38

*Assistant superintendent's office, eastern division.*

Hugh Treanor, clerk.....	\$898 92
George M. Bostwick, clerk.....	748 38
Stationery and printing.....	28 13
Postage, etc. . . . .	15 00
Telegraph and telephone.....	208 04
Express transportation. . . . .	102 21
Miscellaneous. . . . .	3 25

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2,003 93

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Carried forward..... \$1,021,182 18

*Assistant superintendent's office middle division.*

Brought forward.....		\$1,021,182 18
Patrick Madigan, clerk.....	\$600 00	
Omer Leyns, clerk.....	600 00	
Stationery and printing.....	118 46	
Postage, etc. . . . .	57 00	
Telegraph and telephone.....	94 86	
Gertrude Hurlbut, typewriter....	125 00	
Janitress. . . . .	210 00	
Typewriter and desk.....	120 00	
Miscellaneous. . . . .	164 68	
	<hr/>	2,090 00

*Assistant superintendent's office, western division.*

Francis O'Connor, clerk.....	1,200 00	
Stationery and printing.....	43 46	
Postage, etc. . . . .	36 00	
Transportation. . . . .	4 86	
Miscellaneous. . . . .	83 65	
	<hr/>	1,367 97

## To clerks in the Bureau of Canal Affairs:

George H. Birchall, chief clerk...	\$2,000 01	
Thomas W. Cantwell, clerk.....	1,500 00	
	<hr/>	3,500 01

To P. McNamara, on account of services, expenses and witness fees paid in collecting evidence and subpoenaing witnesses on the part of the State in cases before the Board of Claims.....		3,000 00
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To the division engineers for making surveys and maps for use before the Board of Claims.....		6,095 73
--	--	----------

For printing and stationery for Bureau Canal  
Affairs:

The Argus Company.....	\$250 25	
Weed-Parsons Printing Co.....	96 12	
A. C. Goodwin.....	20 25	
A. L. Curtis, filing cases.....	7 00	
	<hr/>	373 62

Carried forward.....		\$1,037,609 51
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Brought forward.....	\$1,037,609 51
For services of messengers and night watchman, viz.:	
Joseph H. Allen, messenger.....	\$280 00
W. S. Farley, messenger.....	200 00
P. H. White, watchman.....	365 00
	<hr/>
	845 00
Transferred to fund for ordinary repairs the miscellaneous receipts of the fiscal year.....	5,953 02
Account overdrawn, September 30, 1894, for balance in hands of Superintendent of Public Works. . . . .	6,828 90
To George W. Aldridge, Superintendent of Public Works, for balance in his hands September 30, 1895. . . . .	607 66
	<hr/>
	\$1,051,844 09
	<hr/> <hr/>

## OSWEGO CANAL FUND.

(No. 24.)

Received, viz.:

For balances of superintendent's accounts:

John Leahey's executors.....	\$49 88
Anthony Salladin, Jr.....	172 35
Frank Matty . . . . .	5 13
	<hr/>
	\$227 36

Transferred from sundry accounts:

Fund for extraordinary repairs.....	53,293 35
Fund for ordinary repairs.....	35,738 47
Fund for enlargement of the Erie, the Oswego, etc.	21,491 97
	<hr/>
	\$110,751 15
	<hr/> <hr/>

(No. 25.)

Paid, viz.:

To Edward Hannan, Superintendent of Public Works, for ordinary repairs. . . . .

\$1,877 77

Carried forward.....

\$1,877 77



Brought forward.....	\$1,877 77	
To George W. Aldridge, Superintendent of Public Works, for ordinary repairs.....	8,941 79	
To section superintendents, for ordinary repairs. . . . .	23,761 05	
		<hr/>
To Edward Hannan, Superintendent of Public Works, for extraordinary repairs . . . . .	\$14,948 14	\$34,580 61
To George W. Aldridge, Superintendent of Public Works, for extraordinary repairs.....	34,136 32	
To W.H.H.Gere, division engineer, for extraordinary repairs.....	4,208 89	
		<hr/>
To Edward Hannan, Superintendent of Public Works, for awards of Board of Claims.....	\$19,664 90	53,293 35
To George W. Aldridge, Superintendent of Public Works, for awards of Board of Claims.....	1,225 00	
For interest on awards of Board of Claims. . . . .	602 07	
		<hr/>
		21,491 97
For collecting statistics at Oswego.....		1,157 86
Transferred to fund for ordinary repairs.....		227 36
		<hr/>
		\$110,751 15
		<hr/> <hr/>

CAYUGA AND SENECA CANAL FUND.

(No. 26.)

Received, viz.:	
From John Van Riper, late Superintendent, for balance of his account.....	\$287 38
Transferred from sundry fund accounts:	
Fund for ordinary repairs.....	13,378 18
	<hr/>
Carried forward.....	\$13,665 56

Brought forward.....	\$13,665 56
Fund for extraordinary repairs.....	36,371 31
Fund for the enlargement of the Erie, the Oswego, etc.....	2,287 98
	<hr/>
	\$52,324 85
	<hr/> <hr/>

(No. 27.)

Paid, viz.:

To Edward Hannan, Superintendent of Public Works, for ordinary repairs.....	\$794 14	
To George W. Aldridge, Superintendent of Public Works, for ordinary repairs.....	1,426 24	
To section superintendents, for ordinary repairs.....	10,796 14	
	<hr/>	\$13,016 52
To Edward Hannan, Superintendent of Public Works, for extraordinary repairs.....	15,295 15	
To George W. Aldridge, Superintendent of Public Works, for extraordinary repairs.....	16,798 38	
To W. H. H. Gere, division engineer, for extraordinary repairs. . . . .	4,277 78	
	<hr/>	36,371 31
To Edward Hannan, Superintendent of Public Works, for awards of Board of Claims.....	\$2,241 71	
For interest on awards.....	46 27	
	<hr/>	2,287 98
For collecting statistics at Geneva.....	361 66	
Transferred to fund for ordinary repairs.....	287 38	
	<hr/>	\$52,324 85
	<hr/> <hr/>	

CHENANGO CANAL FUND.

(No. 28.)

Received, viz.:

Transferred from sundry accounts:

Fund for extraordinary repairs.....	\$10,562 58
Fund for ordinary repairs.....	1,891 90
	<hr/>
	\$12,454 48
	<hr/> <hr/>

(No. 29.)

Paid, viz.:

To Edward Hannan, Superintendent of Public Works, for ordinary repairs.....	\$350 19
To George W. Aldridge, Superintendent of Public Works, for ordinary repairs.....	1,541 71
To C. W. Adams, State Engineer and Surveyor, for extraordinary repairs.....	8,906 44
To W. H. H. Gere, division engineer, for extraordinary repairs.....	1,656 14
	<hr/>
	\$12,454 48
	<hr/> <hr/>

BLACK RIVER CANAL FUND.

(No. 30.)

Received, viz.:

For balances of superintendent's accounts:

G. Clinton Ward.....	\$1 20	
Thomas Norton.....	1 60	
	<hr/>	\$2 80

Transferred from sundry accounts:

Fund for the enlargement of the Erie, the Oswego, etc.....	341 78
Fund for extraordinary repairs.....	62,006 63
Fund for ordinary repairs.....	49,299 15
	<hr/>
	\$111,650 36
	<hr/> <hr/>



(No. 31.)

Paid, viz.:

To Edward Hannan, Superintendent of Public Works, for ordinary repairs. . . . .	\$3,006 38	
To George W. Aldridge, Superintendent of Public Works, for ordinary repairs. . . . .	4,835 46	
To section superintendents, for ordinary repairs. . . . .	40,975 85	
	<hr/>	\$48,817 69
To Edward Hannan, Superintendent of Public Works, for extraordinary repairs. . . . .	\$24,386 60	
To George W. Aldridge, Superintendent of Public Works, for extraordinary repairs. . . . .	32,864 58	
To W. H. H. Gere, division engineer, for extraordinary repairs,	4,755 45	
	<hr/>	62,006 63
To Edward Hannan, Superintendent of Public Works, for awards of Board of Claims. . . . .	\$247 25	
For interest on awards of Board of Claims. . . . .	94 53	
	<hr/>	341 78
For collecting statistics at Boonville. . . . .		481 46
Transferred to fund for ordinary repairs. . . . .		2 80
		<hr/>
		\$111,650 36
		<hr/> <hr/>

CHEMUNG CANAL FUND.

(No. 32.)

Received, viz.:	
Transferred from fund for extraordinary repairs,	\$14,411 40
Transferred from fund for enlargement of the Erie, the Oswego, etc.....	531 89
	<hr/>
	\$14,943 29
	<hr/> <hr/>

(No. 33.)

Paid, viz.:	
To Edward Hannan, Superin- tendent of Public Works, for extraordinary repairs. . . . .	\$13,149 76
To John Bisgood, division engi- neer, for extraordinary repairs,	761 64
To J. L. Little, division engineer, for extraordinary repairs.....	500 00
	<hr/>
	\$14,411 40
To Geo. W. Aldridge, Superintendent of Public Works, for awards of Board of Claims.....	531 89
	<hr/>
	\$14,943 29
	<hr/> <hr/>

ONEIDA LAKE CANAL.

(No. 34.)

Received, viz.:	
Transferred from fund for enlargement of the Erie, the Oswego, etc.....	\$370 40

(No. 35.)

Paid, viz.:	
To Edward Hannan, Superintendent of Public Works, for awards of Boards of Claims.....	\$369 43
For interest on awards of Board of Claims.....	97
	<hr/>
	\$370 40
	<hr/> <hr/>

## GENESEE VALLEY CANAL FUND.

(No. 36.)

Received, viz.:

Transferred from fund for extraordinary repairs,	\$5,688 39
--	------------

(No. 37.)

Paid, viz.:

To Edward Hannan, Superintendent of Public Works, for extraordinary repairs.....	\$1,978 00
To Geo. W. Aldridge, Superintendent of Public Works, for extraordinary repairs.....	3,710 39
	<u>\$5,688 39</u>

## CANAL DEBT.

(No. 38.)

*(Under article 7, section 1 of the Constitution.)*

Erie and Champlain canals:

Stock not bearing interest.....	\$160 00
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Redeemable as follows, viz.:

Six per cent., July 1, 1837.....	\$160 00
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Total canal debt under article 7, section 1 of the Constitution, paying no interest.....	\$160 00
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*(Under article 7, section 3 of the Constitution.)*

For payment of canal revenue certificates:

Stock not bearing interest.....	\$500 00
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Redeemable as follows, viz.:

Six per cent., July 1, 1873.....	\$500 00
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(No. 39.)

STATEMENT *showing the balances on hand September 30, 1895, the depositaries thereof and the names of the accounts to which it belongs.*

Bank of Manhattan Co., New York.....	\$460 46
Buffalo Loan, Trust and Safe Deposit Company..	13,500 00
First National Bank, Glens Falls.....	6,000 00
Glens Falls National Bank.....	3,000 00
Merchants' National Bank, Glens Falls.....	3,000 00
New York State National Bank, Albany.....	36,309 28
State Bank of Pike.....	5,000 00
<hr/>	
Available. . . . .	\$67,269 74
Cataract Bank, Niagara Falls....	\$5,726 84
Elmira National Bank.....	9,169 06
First National Bank, Watkins...	1,991 01
Merchants' Bank, Binghamton...	2,199 77
<hr/>	
Unavailable. . . . .	19,086 68
<hr/>	
Total amount deposited in banks.....	\$86,356 42
Balance in hands of Superintendent of Public Works. . . . .	607 66
<hr/>	
\$86,964 08	
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The foregoing amount belongs to:

Sinking fund for the redemption of the canal debt,	\$160 00
Sinking fund for the redemption of the debt for the enlargement and completion of the canals,	20,717 67
Fund for the enlargement of the Champlain canal,	1,065 67
Fund for extraordinary repairs.....	6,794 51
Fund for ordinary repairs.....	47,778 39
Fund for enlargement of the Erie, the Oswego, etc. . . . .	6,337 90
Contractors' deposit fund. . . . .	4,109 94
<hr/>	
\$86,964 08	
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(No. 40.)

STATEMENT of the operation of the Sinking Fund for the Canal Debt, under article 7, section 1 of the Constitution.

YEARS.	RECEIVED.								
	Loans to supply deficiencies.	Premiums on loans.	Proceeds of taxes.	From tolls.	Interest on deposits and investments and discount on stocks purchased.	Reimbursement of temporary investment in taxes to be levied and interest thereon.	Sale of stock investments.	Miscellaneous.	Total.
1846.	.....	.....	.....	\$433,333 33	.....	.....	.....	.....	\$433,333 33
1847.	.....	.....	.....	1,300,000 00	.....	.....	.....	.....	1,300,000 00
1848.	\$825,000 00	\$16,858 94	\$119,410 30	1,300,000 00	\$1,899 71	.....	.....	.....	2,263,168 95
1849.	1,739,024 76	.....	.....	1,300,000 00	7,774 28	.....	.....	\$760 00	3,047,559 04
1850.	.....	215,610 76	.....	1,300,000 00	.....	.....	.....	42,869 93	1,558,480 69
1851.	.....	.....	.....	1,300,000 00	.....	.....	.....	.....	1,300,000 00
1852.	.....	.....	.....	1,300,000 00	3,250 00	.....	.....	.....	1,303,250 00
1853.	.....	.....	.....	1,300,000 00	23,335 79	.....	.....	.....	1,323,335 79
1854.	.....	.....	.....	1,300,000 00	10,000 00	\$657,145 86	.....	.....	1,967,145 86
1855.	.....	.....	.....	1,300,000 00	28,000 00	.....	.....	.....	1,328,000 00
1856.	4,000,000 00	.....	.....	1,700,000 00	14,000 00	.....	.....	.....	5,714,000 00
1857.	.....	28,427 70	.....	1,589,015 60	34,714 11	.....	.....	1,989 94	1,654,147 38
1858.	1,500,000 00	24,300 00	40,500 00	993,325 97	65,674 74	.....	\$121,938 00	112 65	2,745,851 36
1859.	.....	.....	47,000 00	962,000 67	18,705 32	.....	.....	.....	1,027,705 99
1860.	.....	.....	.....	1,669,611 61	36,258 18	835,663 75	.....	.....	2,541,538 54
1861.	1,200,000 00	16,883 50	.....	1,700,000 00	14,650 48	.....	.....	.....	2,931,533 99
1862.	.....	.....	.....	1,700,000 00	22,942 24	.....	.....	.....	1,722,942 24
1863.	.....	.....	.....	1,700,000 00	54,000 00	582,113 76	.....	.....	2,336,113 76
1864.	.....	.....	.....	1,700,000 00	68,227 00	.....	.....	.....	1,768,227 00
1865.	.....	.....	.....	1,650,091 86	99,232 25	9,731 68	.....	.....	1,759,055 79
1866.	.....	.....	.....	1,700,000 00	59,992 22	468,000 00	.....	.....	2,227,992 22
1867.	.....	.....	.....	1,700,000 00	75,471 25	624,000 00	.....	.....	2,399,471 25
1868.	.....	.....	.....	1,700,000 00	73,173 43	520,000 00	.....	.....	2,293,173 43
1869.	.....	.....	.....	.....	59,513 00	1,034,500 00	.....	.....	1,094,019 00
1870.	.....	.....	.....	.....	53,803 75	36,040 00	.....	.....	89,843 75
1871.	.....	.....	.....	.....	14,030 99	525,000 00	.....	.....	539,030 99
1872.	.....	.....	.....	.....	13,541 92	290,446 67	.....	.....	304,008 59
1873.	.....	.....	.....	.....	25,473 71	488,130 00	.....	.....	513,603 71
1874.	.....	.....	.....	195,000 00	10,863 40	.....	.....	.....	205,863 40
Total....	\$9,264,024 76	\$302,080 93	\$401,910 30	\$32,597,379 04	\$888,527 77	\$6,070,791 72	\$121,938 00	\$45,732 52	\$49,692,385 04



STATEMENT No. 40 — (Concluded).

YEARS.	PAID.										Total.	
	Principal of debt.	Interest on debt.	Claims prior to 1st June, 1846.	Premium on stocks purchased.	Accrued interest on stocks purchased.	Temporary investments in taxes to be collected.	Investments in stocks.	Certificates, plates and agency in New York.	Premium on coin purchased to pay interest.	(General fund for deferred contributions, under art 7, sec. 2 of the Constitution and interest thereon.		Miscellaneous.
1846..	\$433,333 33	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	\$433,333 33
1847..	205,256 00	\$937,205 64	.....	\$5,131 40	.....	.....	.....	\$2,116 00	.....	.....	.....	1,149,709 04
1848..	1,341,489 00	911,736 04	.....	3,829 25	\$9 21	.....	.....	2,452 00	.....	.....	.....	2,259,515 51
1849..	2,097,329 00	898,599 05	.....	.....	2,101 38	.....	.....	2,597 00	.....	.....	.....	3,000,626 43
1850..	582,786 64	861,211 00	\$84,715 52	.....	1,636 34	.....	.....	2,185 00	.....	.....	.....	1,432,534 50
1851..	573,609 91	822,435 38	34,829 53	.....	177 05	.....	.....	2,257 50	.....	.....	.....	1,433,309 37
1852..	340,265 45	801,161 00	.....	.....	273 53	\$621,467 47	.....	2,170 75	.....	.....	.....	1,143,875 73
1853..	.....	801,161 00	.....	.....	.....	.....	.....	2,087 50	.....	.....	.....	1,424,715 97
1854..	479,025 00	792,911 00	10,936 86	.....	.....	.....	.....	2,229 66	.....	.....	.....	1,285,102 52
1855..	1,111,911 00	750,669 07	25,177 03	.....	.....	.....	.....	2,411 05	.....	.....	.....	1,890,168 15
1856..	4,118,266 34	692,193 28	12,113 37	.....	.....	.....	.....	2,908 13	.....	.....	.....	4,825,481 12
1857..	102,285 00	692,193 28	32,377 93	.....	267 95	.....	\$72,938 00	2,391 63	.....	.....	.....	902,453 79
1858..	2,929,767 34	672,710 72	217 39	.....	82 22	.....	49,000 00	2,001 38	.....	.....	.....	3,655,117 40
1859..	152,170 00	614,263 04	180 00	.....	.....	600,000 00	.....	2,358 00	.....	.....	.....	1,373,127 32
1860..	900,523 00	600,116 50	318 00	.....	.....	200,000 00	.....	2,381 25	.....	.....	.....	1,703,338 75
1861..	2,175,551 23	538,675 36	.....	.....	.....	.....	.....	2,412 00	.....	.....	.....	2,716,794 90
1862..	920,000 00	517,230 08	220 00	22 49	.....	559,724 77	.....	2,212 00	.....	.....	.....	1,999,409 34
1863..	431,300 00	487,366 48	11 01	36,304 75	3,212 08	.....	.....	2,184 00	\$80,715 93	.....	.....	1,041,501 02
1864..	457,700 00	457,105 98	50 00	8,391 25	363 60	.....	.....	2,307 25	31,418 47	.....	.....	966,604 82
1865..	2,644,374 76	325,462 61	.....	8,208 50	1,617 42	450,000 00	.....	2,191 50	.....	\$600,000 00	.....	4,031,954 79
1866..	415,750 00	251,565 00	.....	.....	576 92	600,000 00	.....	2,239 00	.....	782,961 04	.....	2,053,091 96
1867..	1,662,000 00	209,427 50	.....	500 00	7,668 61	510,000 00	.....	2,233 00	.....	363,125 00	.....	2,755,094 11
1868..	1,017,200 00	138,378 75	.....	1,856 46	3,423 35	1,000,000 00	.....	2,249 50	.....	.....	.....	2,163,108 06
1869..	1,111,280 00	90,460 25	.....	6,028 75	529 56	34,000 00	.....	2,108 00	.....	.....	.....	1,244,406 56
1870..	23,000 00	55,896 00	.....	300 00	.....	500,000 00	.....	2,163 50	.....	.....	.....	586,546 44
1871..	.....	55,321 00	.....	.....	.....	.....	.....	2,274 19	5,186 94	.....	.....	64,396 85
1872..	.....	55,321 00	.....	.....	.....	737,500 00	.....	1,454 18	6,801 66	.....	.....	800,757 18
1873..	.....	55,321 00	.....	.....	.....	.....	.....	750 00	6,382 00	.....	.....	64,106 30
1874..	1,098,250 00	13,830 25	.....	.....	.....	.....	.....	3,707 50	8,035 39	.....	.....	1,231,685 93
1875..	2,170 00	.....	.....	.....	.....	.....	.....	.....	115,898 18	.....	.....	2,170 00



[illegible]

\* This amount being a surplus, is transferred to Sinking Fund, under Article 7, section 3, in pursuance of act, chapter 150 of the Laws of 1878.

*STATEMENT of the operation of the Sinking Fund for the Canal Debt, under article 7, section 3, of the Constitution.*

YEARS.	RECEIVED.					
	Loans to supply deficiencies.	Premiums on loans.	Proceeds of taxes.	From tolls.	Interest on deposits and investments, and discount on stock pur- chased.	Miscellaneous.
1854.	.....	.....	.....	\$94,861 72	.....	\$94,861 72
1855.	.....	.....	.....	.....	\$3,809 00	3,809 00
1856.	.....	.....	\$232,500 00	.....	8,426 92	740,926 92
1857.	.....	.....	.....	.....	4,420 32	515,182 71
1858.	.....	\$10,450 47	.....	.....	4,408 84	535,434 34
1859.	.....	31,025 50	.....	.....	4,629 29	684,629 29
1860.	.....	.....	680,000 00	.....	4,860 75	1,220,039 25
1861.	1,200,000 00	15,178 50	.....	.....	5,103 79	650,945 95
1862.	.....	.....	.....	645,842 16	.....	2,768,072 04
1863.	.....	.....	1,580,742 61	1,146,242 66	.....	1,351,955 42
1864.	.....	.....	198,534 00	2,116,242 66	37,178 76	1,157,241 20
1865.	.....	.....	.....	1,116,242 66	40,998 54	1,547,523 14
1866.	.....	.....	.....	.....	40,443 25	851,546 42
1867.	.....	.....	600,000 00	824,756 39	32,766 75	1,146,692 50
1868.	.....	.....	.....	780,165 14	71,381 28	1,418,578 02
1869.	.....	.....	.....	1,116,242 66	30,449 84	46,550 22
1870.	.....	.....	.....	1,382,772 58	35,805 44	.....
1871.	.....	.....	.....	.....	46,550 22	.....
1872.	1,502,900 00	9,789 86	913,866 65	.....	.....	2,486,556 51
1873.	3,145,500 00	.....	.....	123,286 80	.....	3,452,473 41
1874.	2,004,600 00	.....	575,339 68	1,278,506 08	.....	3,913,271 19
1875.	2,000,000 00	60,000 00	.....	458,679 68	22,285 04	2,540,964 72
1876.	473,000 00	27,601 50	*655,538 69	338,138 28	11,818 97	1,506,097 44
1877.	.....	.....	.....	3,031 33	46,761 90	49,793 23
1878.	.....	.....	900,208 50	248,902 38	59,466 63	1,352,310 85
1879.	.....	.....	805,083 31	169,477 99	43,220 00	1,019,851 30
1880.	.....	.....	789,724 90	311,118 79	50,435 00	1,151,278 69
1881.	.....	.....	878,938 03	.....	80,773 66	972,746 65
1882.	.....	.....	758,797 92	.....	78,887 88	841,381 00
						3,695 20

1883.....	.....	.....	1,115,648 46	.....	78,955 93	12,235 40	1,206,839 79
1884.....	.....	.....	1,988,508 34	.....	90,144 45	.....	2,078,652 79
1885.....	.....	.....	950,310 00	.....	137,490 76	.....	1,143,582 00
1886.....	.....	.....	850,310 00	.....	148,985 78	55,781 25	1,022,170 00
1887.....	.....	.....	850,310 00	.....	179,240 26	22,875 00	1,211,687 76
1888.....	.....	.....	754,457 00	.....	121,820 53	182,137 50	1,008,634 30
1889.....	.....	.....	725,255 00	.....	129,542 07	132,356 77	857,297 07
1890.....	.....	.....	615,000 00	.....	138,416 01	2,500 00	838,089 41
1891.....	.....	.....	718,520 00	.....	99,096 62	84,673 40	948,307 82
1892.....	.....	.....	605,581 40	.....	54,885 44	130,691 20	671,466 84
1893.....	.....	.....	32,540 00	.....	7,564 33	11,000 00	40,908 33
1894.....	.....	.....	.....	.....	2,575 25	804 00	2,575 25
1895.....	.....	.....	.....	.....	530 72	.....	530 72
Total .....	\$11,886,000 00	\$154,045 83	\$18,865,714 50	\$11,154,509 96	\$1,954,130 22	\$1,077,497 74	\$45,091,898 25

\* Transferred from the fund for extraordinary repairs, pursuant to section 7 of chapter 425 of the Laws of 1876. The money was originally appropriated from the proceeds of taxes for extraordinary repairs.  
† Transferred from Sinking Fund under articles 7, sections 1 and 12 of the Constitution, pursuant to chapter 150 of the Laws of 1878, being the surpluses of those funds.







1890	.....	1,710,550 00	325,402 50	80,386 28	22,602 48	.....	2,051 00	2,140,902 26
1891	.....	1,936,650 00	243,855 00	9,197 12	7,219 20	.....	2,078 00	2,198,999 32
1892	.....	1,941,800 00	76,722 00	51,147 34	19,388 79	.....	2,032 50	2,091,090 63
1893	.....	462,500 00	9,000 00	470,58	.....	.....	2,073 25	474,043 83
1894	.....	.....	.....	.....	.....	.....	1,250 00	1,250 00
1895	.....	.....	.....	.....	.....	.....	41,250 00	41,250 00
Total	.....	\$22,385 500 00	\$20,655,705 45	\$893,645 71	\$71,203 09	\$40,614 02	\$598,759 28	\$45,071,180 58
Balance on hand 30th September, 1895.....								
							\$20,717 57	\$45,091,898 25

*STATEMENT of the operation of the Sinking Fund for the Canal Debt, under article 7, section 12 of the Constitution.*

YEARS.	RECEIVED.				PAID.								Total.
	Proceeds of taxes.	Interest on deposits and investments.	Temporary loan to pay interest in investments and taxes and interest.	Total.	Principal of debt.	Interest on debt.	Premium on stocks purchased.	Accrued interest on stocks purchased.	Temporary Loan.	Temporary investment in taxes to be collected.	Premium on coin purchased and interest.	Stock debt under article 7, section 10 of the Constitution.	
1860.	.....	.....	\$187,500 00	\$187,500 00	.....	\$112,500 00	.....	.....	\$187,500	.....	.....	.....	\$112,500 00
1861.	\$350,000 00	.....	.....	350,000 00	.....	150,000 00	.....	.....	.....	.....	.....	.....	337,500 00
1862.	475,205 60	\$18,045 69	.....	493,251 29	.....	150,000 00	.....	\$526 68	.....	.....	.....	.....	153,996 53
1863.	355,040 28	5,764 58	.....	360,804 86	\$242,000	150,000 00	14,200 00	1,283 00	.....	.....	\$24,843 75	.....	432,326 75
1864.	535,373 94	21,101 64	.....	556,475 58	15,000	135,255 00	3,700 00	197 43	.....	.....	605 59	.....	154,758 02
1865.	367,744 97	18,989 58	.....	386,734 55	41,000	132,735 00	1,993 75	419 69	.....	.....	.....	.....	176,148 44
1866.	379,965 52	35,097 36	.....	415,062 88	459,000	123,765 00	270 00	316 50	.....	.....	.....	\$392,585 49	975,936 99
1867.	187,575 63	20,676 12	.....	208,251 75	43,000	102,000 00	.....	.....	.....	.....	.....	.....	145,000 00
1868.	203,853 20	21,291 26	.....	225,144 46	15,000	101,325 00	75 00	.....	.....	\$350,000 00	.....	.....	466,400 00
1869.	184,171 40	13,601 53	358,750 00	556,522 93	71,000	100,035 00	2,205 00	.....	.....	.....	.....	.....	173,240 00
1870.	227,864 79	28,813 21	.....	56,678 00	39,000	95,670 00	2,185 00	.....	.....	.....	.....	.....	470,428 60
1871.	240,957 65	2,796 88	341,250 00	585,004 53	.....	94,500 00	.....	.....	.....	325,000 00	3,573 60	.....	275,794 14
1872.	251,435 90	2,789 06	178,500 00	432,724 96	651,000	84,075 00	.....	.....	.....	170,000 00	11,294 14	.....	954,388 95
1873.	230,271 15	9,929 49	122,430 00	362,630 64	44,000	52,800 00	.....	.....	.....	115,500 00	103,813 95	.....	420,376 23
1874.	260,879 23	7,619 67	334,863 67	603,862 57	.....	52,800 00	.....	.....	.....	315,909 13	7,667 09	.....	392,882 60
1875.	212,592 17	13,139 45	352,590 00	578,321 62	.....	52,800 00	.....	.....	.....	335,800 00	4,232 60	.....	60,528 59
1876.	290,053 06	33,866 41	.....	323,919 47	.....	52,800 00	.....	.....	.....	.....	7,728 59	.....	59,073 51
1877.	.....	23,367 50	.....	23,367 50	.....	52,800 00	82,830 31	.....	.....	.....	6,273 51	.....	137,885 67
1878.	.....	.....	.....	.....	880,000	8,824 11	.....	.....	.....	.....	26,722 89	*91,545 58	1,007,092 58
Total..	\$4,752,984 49	\$276,839 43	\$1,875,883 67	\$6,905,757 59	\$2,500,000	\$2,804,684 11	\$110,928 91	\$2,743 30	\$187,500	\$1,612,209 13	\$203,561 07	\$484,131 07	\$6,905,757 59

\* Surplus of the fund transferred to Sinking Fund under article 7, section 3, in pursuance of act chapter 150 of the Laws of 1878.





STATEMENT No. 43 — (Concluded).

YEARS.	For redemption of Cayuga and Seneca canal stock.	For Sinking Fund, under article 7, section 1.	For Sinking Fund, under article 7, section 3.	For Sinking Fund, under article 12, section 12.	For General Fund.	For enlargement and completion of the canals under article 7, section 3.	For improvement of the Champlain canal.	For extension of the Chenango canal.	For improvement of the Genesee Valley canal.	For maintenance and ordinary repairs.	Total.
1882	.....	.....	\$758,797 92	.....	.....	.....	.....	.....	.....	.....	\$758,797 92
1883	.....	.....	1,115,648 46	.....	.....	.....	.....	.....	.....	.....	1,115,917 76
1884	.....	.....	1,988,508 34	.....	.....	\$82,360 98	.....	.....	.....	\$269 30	2,900,544 32
1885	.....	.....	950,310 00	.....	.....	115,301 41	.....	.....	.....	829,675 00	1,718,411 41
1886	.....	.....	850,310 00	.....	.....	62,313 17	.....	.....	.....	652,800 00	1,683,373 17
1887	.....	.....	850,310 00	.....	.....	465,700 00	.....	.....	.....	770,750 00	2,097,460 00
1888	.....	.....	754,457 00	.....	.....	802,592 37	.....	.....	.....	781,450 00	2,348,249 37
1889	.....	.....	725,255 00	.....	.....	709,842 00	.....	.....	.....	791,200 00	2,243,597 00
1890	.....	.....	615,000 00	.....	.....	852,000 00	.....	.....	.....	808,500 00	2,127,000 00
1891	.....	.....	718,520 00	.....	.....	470,088 66	.....	.....	.....	660,000 00	2,172,108 66
1892	.....	.....	600,581 40	.....	.....	266,531 80	.....	.....	.....	983,500 00	1,728,613 20
1893	.....	.....	32,540 00	.....	.....	244,694 94	.....	.....	.....	856,500 00	1,162,734 94
1894	.....	.....	.....	.....	.....	485,000 00	.....	.....	.....	885,500 00	1,100,000 00
1895	.....	.....	.....	.....	.....	524,549 63	.....	.....	.....	615,000 00	990,582 16
Total..	\$677,970 94	\$872,777 38	\$18,210,175 81	\$4,752,984 49	\$350,000 00	\$24,090,917 42	\$1,867,989 53	\$1,800,104 69	\$333,936 24	\$9,101,176 83	\$62,058,033 33

\* Reconstruction Oneida Lake canal.

† Enlargement of Champlain canal.

‡ \$25,000 reconstructing Oneida Lake canal.

(No. 44.)

STATEMENT showing the progress of the canal debt and the amount paid for interest on loans from 1836 to 1893, also the surplus revenues in each fiscal year from 1836 to 1882.

FISCAL YEAR.	PROGRESS OF THE CANAL DEBT.			Interest paid on loans.	Surplus revenues in each fiscal year.
	Borrowed.	Redeemed.	Canal debt at close of each fiscal year.		
1836	\$650,000 00	\$651,249 46	\$6,326,806 33	\$328,744 86	\$1,130,856 15
1837	810,920 22	971,644 93	6,166,082 02	309,108 82	716,616 17
1838	3,493,061 54	351,023 15	9,308,120 41	446,798 81	843,247 87
1839	1,545,000 00	67,300 33	10,785,820 08	494,817 34	1,151,031 03
1840	3,478,553 90	137,726 22	14,126,617 76	5 8,921 58	1,031,806 70
1841	2,213,497 57	33,779 35	15,306,374 48	801,683 57	1,475,169 16
1842	3,411,518 00	143,600 03	19,574,392 45	1,006,497 81	1,154,879 50
1843	1,002,709 00	184,768 27	20,392,324 28	1,093,474 98	1,422,683 52
1844	665,000 00	333,418 60	20,713,905 58	1,116,726 53	1,751,599 62
1845	245,000 01	1,268,884 81	19,690,020 77	1,104,319 98	1,637,427 11
1846	300,000 00	2,961,780 64	17,028,240 13	976,552 48	2,202,861 12
1847	.....	284,490 54	16,743,749 57	937,205 64	2,831,834 52
1848	1,314,819 34	1,244,919 00	16,713,649 91	911,736 05	2,348,219 52
1849	1,889,024 76	2,097,392 00	16,505,345 67	898,599 05	2,757,102 71
1850	192,295 49	482,766 74	16,215,144 52	868,873 74	2,650,206 49
1851	1,000,000 00	573,609 91	16,641,534 61	835,064 66	2,814,432 91
1852	700,000 00	340,265 45	17,001,269 16	843,795 62	2,130,099 86
1853	.....	.....	17,001,269 16	960,790 28	2,070,069 59
1854	2,250,000 00	479,025 00	18,724,244 16	926,231 51	1,750,799 01
1855	3,750,000 00	2,240,911 00	20,281,333 16	1,076,573 17	1,650,000 00
1856	6,750,000 00	4,489,266 34	21,542,066 82	1,194,306 67	1,962,500 00
1857	2,750,000 00	102,285 00	25,189,781 82	1,361,736 93	1,589,015 60
1858	2,200,000 00	2,929,767 34	24,460,014 48	1,406,120 80	993,325 97
1859	.....	152,170 00	24,307,844 48	1,358,892 32	962,000 67
1860	3,000,000 00	1,100,523 00	27,107,321 48	1,472,745 78	1,669,611 61
1861	1,200,000 00	2,175,551 23	26,131,770 25	1,505,304 64	2,695,842 16
1862	.....	2,120,000 00	24,011,770 25	1,429,859 36	4,081,591 35
1863	.....	733,300 00	23,278,470 25	1,381,995 76	4,347,618 83
1864	.....	836,700 00	22,441,770 25	1,321,440 26	3,317,356 06
1865	.....	2,844,374 76	19,597,395 49	1,176,289 39	1,650,091 86
1866	.....	1,348,935 49	18,248,460 00	1,081,875 38	2,874,756 39
1867	.....	2,515,400 00	15,733,060 00	969,402 50	2,830,165 14
1868	.....	1,463,100 00	14,249,960 00	869,761 25	3,293,301 13

STATEMENT No. 44 — (Concluded).

FISCAL YEAR.	PROGRESS OF THE CANAL DEBT.			Interst paid on loans.	Surplus reve- nues in each fiscal year.
	Borrowed.	Redeemed.	Canal debt at close of each fiscal year.		
1869	.....	\$1 685, 180 00	\$12,564,780 00	\$802,210 25	\$2,882,772 58
1870	.....	598,200 00	11,966,580 00	724,752 00	1,161,502 98
1871	.....	.....	11,966,580 00	706,921 00	592,404 32
1872	.....	2,132,800 00	11,396,680 00	673,052 50	1,000,227 34
1873	.....	3,145,600 00	11,352,880 00	610,514 50	1,623,286 80
1874	.....	2,004,000 00	10,230,430 00	593,819 09	1,478,506 08
1875	.....	2,000,000 00	10,086,660 00	604,060 39	485,679 68
1876	.....	473,000 00	10,081,660 00	603,960 00	338,138 28
1877	.....	.....	9,900,300 00	598,836 89	3 031 33
1878	.....	880,000 00	9,021,360 00	549,646 11	248,902 38
1879	.....	32,000 00	8,988,360 00	540,822 00	169,477 99
1880	.....	.....	8,983,360 00	538,902 00	311,118 79
1881	.....	5,000 00	8,983,360 00	538,602 00	*205,642 45
1882	.....	.....	8,983,360 00	538,602 00	6,460 34
1883	.....	635,200 00	8,348,160 00	519,336 00	.....
1884	.....	9,000 00	8,339,160 00	500,310 00	.....
1885	.....	.....	8,339,160 00	500,310 00	.....
1886	.....	34,650 00	8,304,510 00	500,250 00	.....
1887	.....	1,660,200 00	6,644,310 00	495,840 00	.....
1888	.....	501,650 00	6,142,660 00	372,997 50	.....
1889	.....	90,500 00	6,052,160 00	366,045 00	.....
1890	.....	1,710,550 00	4,341,610 00	325,402 50	.....
1891	.....	1,936,650 00	2,404,960 00	243,855 00	.....
1892	.....	1,941,800 00	463,160 00	76,722 00	.....
1893	.....	462,500 00	660 00	9,000 00	.....
Debt in 1835.....	.....	.....	6,328,056 19	.....	.....
Decrease of debt, 1836 to 1893.....	.....	.....	\$6,337,396 19	.....	.....
Paid interest, 1836 to 1895 .....	.....	.....	.....	\$15,661,016 32	.....
Amount of surplus revenues, 1836 to 1882.....	.....	.....	.....	.....	\$77,856,985 77

Deficiency.



(No. 45.)

STATEMENT of the amounts advanced to the superintendents of repairs and to the division engineers during the fiscal year ending September 30, 1895.

SUPERINTENDENTS.	Salaries.	Disbursements.
James H. Boyland, Section 1, Erie.....	\$806 45	\$13,239 27
John McDermott, Section 1, Erie.....	693 55	38,672 29
James Collins, Section 2, Erie.....	806 45	6,147 39
James B. McKain, Section 2, Erie.....	693 55	18,328 65
Robert F. Owens, Section 3, Erie.....	790 32	5,482 00
Jacob Snell, Section 3, Erie.....	709 68	16,828 52
George G. Harter, Section 4, Erie.....	750 00	5,988 00
Charles A. Snyder, Section 4, Erie.....	750 00	17,648 48
John W. Manley, Section 5, Erie.....	750 00	3,712 75
Charles A. Fowler, Section 5, Erie.....	721 78	19,157 28
Edwin Lodder, Section 6, Erie.....	945 83	4,525 04
Clinton Snook, Section 6, Erie.....	554 17	13,167 99
J. H. Hamilton, Section 7, Erie.....	945 83	2,141 50
L. H. King, Section 7, Erie.....	554 17	9,306 77
Edgar D. Miller, Section 8, Erie.....	750 00	6,905 15
Ammon S. Farnum, Section 8, Erie.....	709 68	18,963 26
John S. Gunsaul, Section 9, Erie.....	794 35	6,226 06
J. K. Burlingame, Section 9, Erie.....	705 65	21,143 57
Robert C. Turner, Section 10, Erie.....	822 58	6,775 42
Frank B. Seeley, Section 10, Erie.....	677 42	23,779 67
John W. Eustes, Section 11, Erie.....	1,050 00	15 480 58
John Kraft, Section 11, Erie.....	750 00	28,652 00
James Dougrey, Jr., Section 1, Champlain.....	778 23	5,629 01
Frank B. Peck, Section 1, Champlain.....	721 77	18,697 13
John H. Ganley, Section 2, Champlain.....	782 26	6,571 19
Edwin Reed, Section 2, Champlain.....	717 74	20,001 79
Sylvester Mahan, Section 3, Champlain.....	782 26	4,119 80
George Neddo, Section 3, Champlain.....	717 74	14,290 16
John Leahey, Section 1, Oswego.....	82 19	.....
Frank Matty, Section 1, Oswego.....	743 24	2,164 24
W. J. Johnson, Section 1, Oswego.....	443 34	6,525 96
Anthony Salladin, Jr., Section 2, Oswego.....	741 07	3,841 12
Frank M. Breed, Section 2, Oswego.....	717 74	8,502 15
John Van Riper, Cayuga and Seneca.....	736 67	2,617 80
C. S. Codington, Cayuga and Seneca.....	513 33	6,928 34
G. Clinton Ward, Section 1, Black River Canal.....	782 26	6,832 00
Edgar Hughes, Section 1, Black River Canal.....	717 74	20,227 15
Thomas Norton, Section 2, Black River Canal.....	625 81	2,752 30
Henry Abbey, Section 2, Black River Canal.....	574 19	8,464 40
	\$27,909 04	\$440,436 18

DIVISION ENGINEERS.

DeWitt C. Smith, Erie Canal.....	\$27,151 84
William H. H. Gere, Erie Canal.....	17,237 92
John Bisgood, Erie Canal.....	13,022 47
J. L. Little, Erie Canal.....	9,545 10
DeWitt C. Smith, Champlain Canal.....	11,514 31
William H. H. Gere, Oswego Canal.....	4,208 89
William H. H. Gere, Cayuga and Seneca Canal.....	4,277 78
William H. H. Gere, Black River Canal.....	4,755 45
William H. H. Gere, Chenango Canal.....	1,656 14
John Bisgood, Chemung Canal.....	761 64
J. L. Little, Chemung Canal.....	500 00
	\$94,631 54

(No. 46.)

STATEMENT of receipts and payments on account of the enlargement of the Erie canal, in each fiscal year, up to 30th September, 1895.

RECEIVED.											
YEARS.	Loans.	Premiums on loans.	Discount on loans.	Avails of loans.	Temporary loans.	Surplus tolls of Erie canal.	Fund for completion of the canals and for payment of the floating debt.	Constitutional Sinking Fund.	Interest on deposits and investments.	Miscellaneous.	Total.
1835.	.....	.....	.....	.....	.....	\$31,840 70	.....	.....	.....	.....	\$31,810 70
1836.	.....	.....	.....	.....	.....	53,218 83	.....	.....	.....	.....	54,218 83
1837.	.....	.....	.....	.....	.....	636,312 17	.....	.....	.....	.....	636,312 17
1838.	.....	.....	.....	.....	.....	174,694 90	.....	.....	.....	.....	1,179,744 90
1839.	\$1,000,000 00	\$5,150 00	.....	\$1,005,050 00	.....	303,178 22	.....	.....	\$7,343 20	\$7,612 75	2,317,834 17
1840.	1,500,000 00	.....	.....	1,500,000 00	.....	369,170 76	.....	.....	4,700 06	2,040 81	3,476,911 63
1841.	3,000,000 00	.....	\$100,000 00	2,900,000 00	\$200,000 00	526,262 12	.....	.....	14,505 28	3,523 75	3,059,881 15
1842.	1,441,119 29	.....	125,519 29	1,315,609 00	1,200,000 00	1,348,995 69	.....	.....	.....	2,436 36	3,189,515 00
1843.	1,838,082 95	.....	.....	1,838,082 95	.....	507,295 17	.....	.....	.....	1,041 23	1,094,909 16
1844.	569,797 76	16,775 00	.....	586,572 76	.....	524,159 82	.....	.....	.....	2,254 62	969,802 94
1845.	438,000 00	5,388 50	.....	443,388 50	.....	541,727 24	.....	.....	.....	1,080 05	695,804 29
1846.	152,000 00	897 00	.....	152,897 00	.....	550,920 50	.....	.....	.....	1,047 87	755,957 17
1847.	189,000 00	14,988 80	.....	203,988 80	.....	182,379 63	.....	.....	.....	1,467 47	1,110,578 40
1848.	.....	.....	.....	.....	.....	.....	\$367,620 37	\$559,110 93	.....	.....	3,148,722 01
1849.	.....	.....	.....	.....	.....	.....	1,255,945 80	1,868,492 35	17,829 74	6,453 12	2,061,883 80
1850.	.....	.....	.....	.....	.....	.....	977,860 10	1,033,093 51	12,155 32	38,774 87	1,135,012 56
1851.	.....	.....	.....	.....	.....	.....	574,854 56	541,637 31	12,580 03	5,940 66	968,191 96
1852.	.....	.....	.....	.....	.....	.....	510,364 14	438,254 98	12,257 24	7,315 60	1,384,434 48
1853.	.....	.....	.....	.....	.....	.....	939,834 89	419,488 02	8,242 32	16,869 25	1,265,146 70
1854.	.....	.....	.....	.....	.....	.....	682,279 44	419,488 02	8,242 32	155,136 92	3,006,730 76
1855.	.....	.....	.....	.....	.....	.....	2,004,001 83	880,327 22	8,422 32	133,979 39	2,414,431 75
1856.	.....	.....	.....	.....	.....	.....	1,826,611 56	438,515 89	87,522 32	111,782 48	5,999,158 56
1857.	.....	.....	.....	.....	.....	.....	1,808,881 88	1,125,792 39	31,104 81	361,179 48	2,476,804 68
1858.	.....	.....	.....	.....	.....	.....	1,803,000 00	291,773 02	20,417 53	361,614 13	2,476,804 68
1859.	200,000 00	1,825 00	.....	201,825 00	.....	.....	1,810,599 99	2,280,797 32	.....	19,991 14	4,313,213 45
1860.	.....	.....	.....	.....	.....	.....	511,557 88	207,935 10	.....	19,671 40	739,164 33
1861.	.....	.....	.....	.....	.....	.....	2,152,563 59	649,159 69	.....	7,779 27	2,809,502 55
1862.	.....	.....	.....	.....	.....	.....	398,933 47	83,417 00	.....	11,991 67	494,342 14
1863.	.....	.....	.....	.....	.....	.....	889,305 91	617,895 27	.....	13,411 20	1,520,612 38
	.....	.....	.....	.....	.....	.....	191,224 92	14,365 00	.....	12,541 57	218,131 49





STATEMENT No. 46 — (Continued).

ERIE CANAL ENLARGEMENT.

YEARS.	PAID.						
	Loans.	Temporary loans.	Interest on loans.	Interest on canal revenue certificates.	Canal Commissioners and Superintendent of Public Works.	Premium on purchase and investment of stock.	Miscellaneous.
1835	.....	.....	.....	.....	\$31,810 70	.....	\$31,810 70
1836	.....	.....	.....	.....	53,218 83	.....	53,212 83
1837	.....	.....	.....	.....	636,312 17	.....	636,312 17
1838	.....	.....	\$16,372 93	.....	1,163,196 12	.....	1,179,744 90
1839	.....	.....	77,832 20	.....	3,245,839 93	.....	2,317,834 17
1840	.....	.....	231,190 72	.....	2,232,370 66	.....	3,476,911 63
1841	.....	.....	335,473 36	.....	2,518,309 72	.....	3,059,891 15
1842	.....	\$200,000 00	459,985 03	.....	1,531,152 51	.....	3,189,515 00
1843	.....	1,200,000 00	507,295 17	.....	530,801 54	.....	1,064,631 32
1844	.....	.....	524,159 82	.....	418,692 06	.....	980,076 78
1845	.....	.....	541,727 24	.....	155,130 43	.....	705,239 58
1846	.....	.....	550,920 50	.....	70,012 35	.....	668,589 55
1847	.....	.....	559,110 93	.....	62,331 30	.....	632,637 04
1848	.....	.....	526,713 52	.....	634,573 08	.....	2,530,473 39
1849	.....	.....	451,968 82	.....	1,000,323 97	\$3,829 25	2,058,623 85
1850	.....	.....	419,488 02	.....	1,365,695 00	.....	1,875,050 10
1851	.....	.....	419,488 02	.....	977,703 68	.....	1,424,540 78
1852	.....	.....	419,488 02	.....	913,148 64	.....	1,384,434 48
1853	.....	.....	419,488 02	.....	555,139 97	.....	1,139,181 75
1854	.....	.....	411,988 02	.....	582,443 11	.....	1,568,014 98
1855	.....	.....	389,488 02	.....	2,004,300 51	.....	2,552,689 72
1856	.....	.....	239,488 02	.....	3,168,676 89	.....	7,376,483 21
1857	.....	.....	189,488 02	.....	2,202,705 33	.....	2,525,894 79
1858	.....	.....	164,169 04	.....	1,366,128 28	.....	4,105,370 00
1859	.....	.....	88,212 10	.....	428,995 23	.....	755,750 50
1860	.....	.....	68,869 04	.....	2,210,216 11	.....	2,907,135 04
1861	.....	.....	40,840 00	.....	561,138 38	.....	673,719 88
1862	.....	.....	30,895 27	.....	685,329 89	.....	1,383,196 31
1863	.....	.....	11,365 00	.....	163,089 62	.....	252,611 79
1864	.....	.....	8,505 00	.....	376,894 66	.....	612,175 36
1865	.....	.....	.....	.....	277,848 94	.....	389,452 98
1866	.....	.....	.....	.....	185,600 99	.....	215,206 02
1867	.....	.....	.....	.....	51,825 53	.....	58,458 13
							6,632 60



STATEMENT of receipts and payments on account of the Oswego canal, in each year, up to September 30, 1895,  
inclusive, viz.:

YEARS.	Loans.	Premiums on loans.	RECEIVED.					Total.
			Avails of loans.	Erie and Champlain tolls.	Tolls.	Sales of land.	Rent of sur- plus water.	
1826.	\$227,000 00	.....	\$227,000 00	.....	.....	\$29,098 82	.....	\$256,689 82
1827.	.....	.....	.....	.....	.....	2,124 19	.....	2,124 19
1828.	210,000 00	\$2,805 00	212,805 00	.....	\$2,057 82	79,748 59	.....	294,611 41
1829.	.....	.....	.....	.....	9,071 93	34,227 86	\$723 70	44,053 49
1830.	.....	.....	.....	.....	12,430 01	33,508 76	825 00	46,763 77
1831*	.....	.....	.....	.....	11,465 20	11,870 75	1,571 83	28,900 45
1832.	.....	.....	.....	.....	16,610 65	47 58	325 00	16,983 23
1833.	.....	.....	.....	.....	22,965 26	221 81	325 00	23,512 07
1834.	.....	.....	.....	.....	22,174 13	749 39	325 00	23,248 52
1835.	.....	.....	.....	.....	26,267 09	456 42	325 00	27,048 51
1836.	.....	.....	.....	.....	29,359 93	6,539 80	325 00	36,375 81
1837.	.....	.....	.....	.....	24,556 97	8,898 00	325 00	33,779 97
1838.	.....	.....	.....	.....	22,961 40	475 00	325 00	23,761 40
1839.	.....	.....	.....	.....	32,593 80	4,360 00	325 00	37,278 80
1840.	.....	.....	.....	.....	29,166 71	.....	325 00	29,491 71
1841.	.....	.....	.....	.....	34,630 03	.....	325 00	34,955 03
1842.	.....	.....	.....	.....	35,878 82	131 00	.....	36,009 82
1843.	.....	.....	.....	.....	31,914 21	.....	.....	31,914 21
1844.	.....	.....	.....	.....	50,013 24	.....	.....	50,013 24
1845.	.....	.....	.....	.....	53,831 17	.....	.....	53,831 17
1846.	.....	.....	.....	\$421,304 00	60,101 35	.....	.....	481,405 35
1847.	.....	.....	.....	100,000 00	70,839 01	.....	.....	170,839 01
1848.	.....	.....	.....	.....	71,564 58	.....	.....	77,564 58
1849.	.....	.....	.....	.....	86,139 66	.....	.....	92,139 66
1850.	.....	.....	.....	.....	94,524 17	.....	.....	90,973 14
1851.	.....	.....	.....	.....	104,366 58	.....	.....	104,366 58
1852.	200,000 00	18,885 00	218,885 00	.....	82,951 22	.....	.....	312,600 84
1853.	.....	.....	.....	.....	88,839 97	.....	.....	154,681 54
1854.	.....	.....	.....	.....	81,266 00	.....	.....	254,232 68
1855.	.....	.....	.....	.....	64,954 15	.....	.....	262,141 33
1856.	.....	.....	.....	.....	96,136 22	.....	.....	358,118 95
1857.	.....	.....	.....	.....	105,141 39	.....	.....	398,261 43
1858.	.....	.....	.....	.....	83,939 46	.....	.....	474,520 54



1859.....	.....	.....	.....	.....	69,348 37	.....	.....	.....	136,544 62	205,892 99
1860.....	.....	.....	.....	.....	109,840 03	.....	.....	.....	352,522 14	462,362 17
1861.....	.....	.....	.....	.....	131,458 38	.....	.....	.....	116,820 09	248,278 47
1862.....	.....	.....	.....	.....	153,006 82	.....	.....	.....	172,019 04	325,025 86
1863.....	.....	.....	.....	.....	143,273 75	.....	.....	.....	31,722 05	175,495 80
1864.....	.....	.....	.....	.....	142,561 87	.....	.....	.....	35,961 63	178,801 00
1865.....	.....	.....	.....	.....	112,063 86	.....	.....	.....	95,931 17	208,544 98
1866.....	.....	.....	.....	.....	143,364 27	.....	.....	.....	285,933 38	429,347 60
1867.....	.....	.....	.....	.....	154,382 77	.....	.....	.....	6,081 79	161,073 76
1868.....	.....	.....	.....	.....	173,027 99	.....	.....	.....	130,195 33	303,223 32
1869.....	.....	.....	.....	.....	156,593 02	.....	.....	.....	34,662 20	191,255 22
1870.....	.....	.....	.....	.....	138,648 54	.....	.....	.....	233,679 75	372,328 29
1871.....	.....	.....	.....	.....	109,899 33	.....	.....	.....	113,856 83	223,756 27
1872.....	.....	.....	.....	.....	90,796 57	.....	.....	.....	141,673 94	233,510 89
1873.....	.....	.....	.....	.....	88,428 13	.....	.....	.....	89,201 17	177,629 30
1874.....	.....	.....	.....	.....	70,119 59	.....	.....	.....	156,605 58	236,725 17
1875.....	.....	.....	.....	.....	45,057 69	.....	.....	.....	14,413 34	59,471 03
1876.....	.....	.....	.....	.....	49,007 51	.....	.....	.....	35,758 72	64,766 23
1877.....	.....	.....	.....	.....	20,098 00	.....	.....	.....	15,820 45	35,918 45
1878.....	.....	.....	.....	.....	12,708 56	.....	.....	.....	15,148 53	27,857 09
1879.....	.....	.....	.....	.....	9,377 11	.....	.....	.....	.....	9,377 11
1880.....	.....	.....	.....	.....	14,388 45	.....	.....	.....	.....	14,388 45
1881.....	.....	.....	.....	.....	13,650 59	.....	.....	.....	.....	13,745 16
1882.....	.....	.....	.....	.....	14,696 35	.....	.....	.....	.....	14,698 23
1883.....	.....	.....	.....	.....	7,016 61	.....	.....	.....	.....	7,018 91
1884.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	35,492 65
1885.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	34,888 75
1886.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	38,538 90
1887.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	90,223 60
1888.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	94,031 87
1889.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	106,881 78
1890.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	114,184 37
1891.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	108,415 04
1892.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	61,271 87
1893.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	62,308 09
1894.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	67,382 27
1895.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	110,751 15
Total .....	\$637,000 00	\$21,690 00	\$658,690 00	\$521,304 00	\$3,711,526 40	\$216,114 95	\$6,370 53	\$4,553,057 43	\$9,667,063 31	

[Assembly, No. 41.]

Deficiencies paid by General Fund and Erie and Champlain canals.....	1,267,707 55
	\$10,934,770 86

\* Nine months.

STATEMENT No. 47 — (Concluded.)

OSWEGO CANAL.

YEARS.	DEFICIENCIES.		PAID.						Total.	
	Paid by the General Fund.	Paid by the Erie and Champlain canals.	Principal of loans.	Surplus tolls Erie and Champlain canals.	Interest on loans.	Canal Commissioners and Superintendent of Public Works.	Superintendents of repairs.	Expenses of collectors and inspectors.		Miscellaneous.
1826.	.....	.....	.....	.....	\$5,083 81	\$237,015 57	.....	.....	.....	\$242,099 38
1827.	.....	.....	.....	.....	11,350 00	175,221 00	.....	.....	.....	186,571 00
1828.	.....	.....	.....	.....	18,917 35	83,774 46	.....	.....	\$500 00	111,609 81
1829.	.....	.....	.....	.....	21,850 00	43,314 99	.....	\$942 94	400 04	79,699 37
1830.	\$16,062 18	.....	.....	.....	21,850 00	3,310 00	.....	1,837 25	364 54	40,334 30
1831*.	13,683 53	.....	\$9,653 00	.....	.....	.....	.....	1,866 77	6,057 55	42,583 98
1832.	17,892 61	.....	.....	.....	16,146 18	.....	.....	1,974 39	1,657 88	37,507 62
1833.	13,738 82	.....	.....	.....	21,367 36	.....	.....	2,015 03	.....	34,619 11
1834.	12,649 83	.....	.....	.....	21,367 36	.....	.....	2,008 51	.....	35,898 35
1835.	9,028 24	.....	.....	.....	21,216 28	.....	.....	2,044 97	.....	36,075 75
1836.	43,942 97	.....	6,043 00	.....	21,065 20	.....	.....	2,147 44	.....	80,315 78
1837.	44,857 31	.....	.....	.....	21,065 20	165 00	.....	2,616 81	165 27	78,637 28
1838.	54,460 70	.....	.....	.....	21,065 20	1,156 21	.....	2,003 13	.....	78,222 10
1839.	11,497 62	.....	.....	.....	21,065 20	.....	.....	3,086 62	.....	48,776 42
1840.	30,760 33	.....	.....	.....	21,065 20	.....	.....	2,988 44	.....	60,252 04
1841.	.....	\$15,345 08	.....	.....	21,065 20	.....	.....	2,992 97	.....	50,300 11
1842.	.....	18,383 59	.....	.....	21,065 20	.....	.....	3,138 64	.....	54,393 41
1843.	.....	14,659 45	.....	.....	21,065 20	.....	.....	2,766 86	.....	46,573 66
1844.	.....	7,767 60	.....	.....	21,065 20	.....	.....	2,774 31	6,530 68	57,780 84
1845.	.....	16,889 06	.....	.....	21,065 20	.....	.....	3,123 21	.....	70,720 23
1846.	.....	13,506 25	387,248 45	.....	16,041 54	.....	.....	3,263 75	29 20	460,856 05
1847.	.....	.....	34,055 55	27,370 85	.....	.....	.....	3,228 30	800 45	104,894 56
1848.	.....	6,231 19	.....	.....	.....	.....	.....	3,690 67	12 00	77,795 77
1849.	.....	.....	.....	43,873 70	.....	4,939 70	.....	3,855 83	.....	86,139 66
1850.	.....	21,188 32	.....	.....	.....	82,507 60	.....	3,598 45	.....	115,737 49
1851.	.....	.....	.....	4,907 20	.....	60,546 29	.....	4,775 91	.....	104,366 58
1852.	.....	27,161 52	.....	.....	8,186 30	75,652 45	.....	4,468 08	3,223 98	131,818 62
1853.	.....	104,050 57	.....	.....	12,000 00	166,726 53	.....	4,748 09	2,538 95	422,875 24
1854.	.....	100,000 00	.....	.....	12,000 00	308,087 93	.....	5,734 16	200,078 45	393,170 73
1855.	.....	35,282 52	.....	.....	12,000 00	327,307 14	.....	5,708 23	101 00	411,154 06
1856.	.....	.....	.....	30,596 21	12,000 00	257,828 62	.....	6,010 86	1,503 54	411,154 06
1857.	.....	.....	.....	15,641 95	12,000 00	214,921 60	.....	6,231 47	710 40	366,675 24
1858.	.....	20,207 07	.....	.....	12,000 00	181,564 60	.....	6,668 65	66,198 44	398,261 44
									42,646 48	340,445 24







*STATEMENT of receipts and payments on account of the Cayuga and Seneca canal in each year, up to September 30, 1895, inclusive, viz.:*

YEARS.	Loans.	Premiums on loans.	RECEIVED.						DEFICIENCIES.	
			Avails of loans.	From other funds to redeem stock.	From Sinking Fund to pay interest.	Tolls.	Miscellaneous.	Total.	Paid by the General Fund.	Paid by Erie and Champlain canals.
1826.			\$159,000 00			\$2,820 75		\$161,820 75		
1827.	\$150,000 00	\$9,000 00				155 19		155 19		
1828.										
1829.	87,000 00		87,000 00			8,370 24		95,370 24		
1830.						13,087 51		13,087 51	\$22,006 11	
1831*.						8,859 48		8,859 48	7,757 21	
1832.						12,375 77		12,375 77	5,284 93	
1833.						15,591 50		15,591 50	5,826 44	
1834.						18,053 14		18,053 14	3,761 70	
1835.						20,192 61		20,192 61	3,352 51	
1836.						19,914 53	\$47 50	19,962 03	19,602 70	
1837.						16,648 77		16,647 77	27,177 52	
1838.						17,488 82		17,488 82	15,517 62	
1839.						19,354 67		19,354 67	17,890 68	
1840.						17,787 29		17,787 29	18,250 96	
1841.						22,445 46		22,445 46		\$9,229 84
1842.						17,992 67		17,992 67		20,909 42
1843.						17,938 40		17,938 40		6,319 24
1844.						23,054 19		23,054 19		4,205 11
1845.						28,881 48		28,881 48		
1846.				\$143,470 05		29,395 23		172,865 28		
1847.					\$4,350 00	26,908 78		31,258 78		
1848.					4,350 00	28,470 86		32,820 86		
1849.					3,262 50	27,735 44		102,883 94		37,502 70
1850.				71,866 05		27,589 59	18,328 18	61,031 77		36,258 09
1851.				15,114 00		26,258 40	7,038 48	33,296 88		8,499 33
1852.						22,524 38		22,524 38		2,651 01
1853.						25,169 84		46,719 84		
1854.						24,808 90		125,361 90		
1855.						21,915 81		123,915 81		
1856.						20,919 78		152,648 24		
1857.						19,457 35	166,585 09	186,042 44		



STATEMENT No. 48 — (Continued).

CAYUGA AND SENECA CANAL.

YEARS.	PAID.							Total.	
	Principal of loans.	Interest on loans.	Surplus tolls to Erie and Champlain canals.	Canal Commis- sioners and Superintend- ent of Public Works.	Seneca Lock Navigation Company.	Superintend- ents of repairs.	Collectors.		Miscella- neous.
1826.	.....	\$3,873 28	.....	\$8,094 47	\$34,095 83	.....	\$255 83	....	\$46,319 41
1827.	..	7,500 00	.....	45,292 70	19,776 05	.....	.....	\$145 23	72,713 98
1828.	.....	7,500 00	.....	90,918 54	.....	.....	.....	8,481 87	106,900 41
1829.	.....	9,956 55	.....	20,783 50	.....	.....	.....	2,331 00	41,109 99
1830.	.....	11,850 00	.....	6,885 55	.....	.....	.....	.....	25,396 01
1831*.	.....	8,887 50	.....	.....	.....	.....	.....	.....	16,616 69
1832.	.....	11,850 00	.....	100 00	.....	.....	.....	.....	17,082 02
1833.	.....	11,850 00	.....	.....	.....	.....	.....	.....	21,996 62
1834.	.....	11,850 00	.....	.....	.....	.....	.....	.....	21,814 90
1835.	.....	11,850 00	.....	.....	.....	.....	.....	.....	23,543 12
1836.	.....	11,850 00	.....	.....	.....	.....	.....	.....	39,624 73
1837.	.....	11,850 00	.....	.....	.....	.....	.....	.....	43,826 29
1838.	.....	11,850 00	.....	.....	.....	.....	.....	.....	33,006 44
1839.	.....	11,850 00	.....	.....	.....	.....	.....	.....	37,245 35
1840.	.....	11,850 00	.....	.....	.....	.....	.....	.....	36,047 25
1841.	.....	11,850 00	.....	.....	.....	.....	.....	.....	31,745 30
1842.	.....	11,850 00	.....	.....	.....	.....	.....	.....	38,902 09
1843.	.....	11,850 00	.....	.....	.....	.....	.....	.....	24,257 64
1844.	.....	11,850 00	.....	.....	.....	.....	.....	.....	27,319 30
1845.	.....	11,850 00	.....	.....	.....	.....	.....	.....	27,257 24
1846.	.....	9,975 00	.....	.....	.....	.....	.....	.....	174,489 52
1847.	.....	4,350 00	\$10,377 25	.....	.....	.....	.....	.....	31,258 78
1848.	.....	4,350 00	13,543 22	.....	.....	.....	.....	.....	32,820 86
1849.	.....	3,262 50	.....	.....	.....	.....	.....	.....	140,386 64
1850.	.....	.....	.....	.....	.....	.....	.....	.....	97,289 86
1851.	.....	.....	.....	.....	.....	.....	.....	.....	33,296 88
1852.	.....	.....	.....	.....	.....	.....	.....	.....	31,023 71
1853.	.....	.....	.....	.....	.....	.....	.....	.....	30,270 85
1854.	.....	.....	.....	.....	.....	.....	.....	.....	89,055 74
1855.	.....	.....	.....	.....	.....	.....	.....	.....	141,736 90
1856.	.....	.....	.....	.....	.....	.....	.....	.....	190,223 31
1857.	.....	.....	.....	.....	.....	.....	.....	.....	186,042 44
1858.	.....	.....	.....	.....	.....	.....	.....	.....	225,222 20



1859.....	.....	8,276 51	36,840 22	.....	5,278 55	2,397 46	30,472 45	83,265 19
1860.....	.....	11,569 04	135,590 78	.....	131 24	2,644 40	3,722 16	153,657 62
1861.....	.....	.....	84,308 31	.....	17,010 38	2,307 26	2,619 12	106,245 07
1862.....	.....	3,200 05	93,564 74	.....	14,799 98	1,734 80	11,092 75	124,392 32
1863.....	.....	7,603 15	44,293 70	.....	3,159 49	1,383 21	12,320 46	68,750 01
1864.....	.....	11,138 82	39,029 63	.....	4,069 54	1,384 39	13,538 95	69,161 33
1865.....	.....	.....	29,029 63	.....	373 03	1,581 04	31,094 78	97,383 77
1866.....	.....	17,639 27	25,735 08	.....	2,097 49	1,786 67	17,704 09	63,762 60
1867.....	.....	8,310 52	4,931 89	.....	382 81	1,769 99	18,593 14	33,988 35
1868.....	.....	9,120 88	13,500 13	.....	.....	1,776 91	21,072 43	45,470 35
1869.....	.....	12,717 03	11,295 32	.....	.....	1,759 00	20,142 92	47,205 80
1870.....	.....	.....	111,486 87	.....	1,291 63	2,418 59	16,590 71	141,162 81
1871.....	.....	.....	31,505 88	.....	10,666 64	2,973 29	316 93	73,570 47
1872.....	.....	.....	29,653 16	.....	39,374 37	2,328 76	19 89	64,586 23
1873.....	.....	.....	14,165 70	.....	32,584 42	2,256 42	19 89	34,064 54
1874.....	.....	.....	38,972 19	.....	17,622 53	2,321 26	787 39	65,601 60
1875.....	.....	.....	39,027 02	.....	23,520 76	2,227 91	1,209 31	56,137 43
1876.....	.....	.....	4,491 70	.....	23,673 19	2,117 59	.....	26,071 46
1877.....	.....	.....	2,698 93	.....	19,462 17	1,691 46	.....	19,307 97
1878.....	.....	.....	25,189 84	.....	14,917 58	1,424 70	2,503 03	39,533 41
1879.....	.....	.....	3,813 25	.....	10,418 84	1,182 81	.....	11,503 11
1880.....	.....	.....	3,201 25	.....	6,507 05	1,213 25	.....	11,753 45
1881.....	.....	.....	8,033 82	.....	7,338 95	1,077 71	.....	14,963 26
1882.....	.....	.....	6,403 00	.....	5,851 73	1,120 32	248 37	15,485 27
1883.....	.....	.....	2,992 12	.....	7,713 58	672 57	.....	11,395 97
1884.....	.....	.....	4,002 59	.....	7,731 28	511 41	100 29	12,085 70
1885.....	.....	.....	7,795 13	.....	7,471 41	504 86	94 33	15,908 50
1886.....	.....	.....	3,130 98	.....	7,514 18	501 91	.....	11,511 29
1887.....	.....	.....	9,364 29	.....	7,878 40	504 66	.....	17,687 92
1888.....	.....	.....	8,633 99	.....	7,818 97	488 71	71 64	17,320 23
1889.....	.....	.....	22,064 49	.....	8,125 89	617 67	1,636 81	32,613 11
1890.....	.....	.....	21,904 40	.....	8,294 14	505 83	2,151 40	34,611 37
1891.....	.....	.....	8,656 87	.....	10,049 74	448 80	126 33	18,584 43
1892.....	.....	.....	1,501 27	.....	9,352 43	509 15	.....	10,974 06
1893.....	.....	.....	2,306 36	.....	8,963 64	404 00	69 71	11,718 16
1894.....	.....	.....	1,246 40	.....	8,938 09	533 33	250 00	10,965 92
1895.....	.....	.....	36,555 62	.....	8,936 19	361 66	4,611 43	52,324 85
1896.....	.....	.....	.....	.....	10,796 14	.....	.....	.....
Total .....	\$237,000 00	\$146,504 42	\$1,935,195 07	\$53,871 88	\$829,479 07	\$95,580 48	\$325,743 65	\$3,860,779 40

• Nine months.

*STATEMENT of receipts and payments on account of the Chemung canal in each year, up to September 30, 1895,*  
*inclusive, viz.:*

YEARS.	Loans.	Premiums on loans.	Discounts on loans.	RECEIVED.					Tolls.	Miscellaneous.	Total.
				Avails of loans.	Temporary loans.	From Sinking Fund.	Interest on deposits.				
1830.....	\$150,000 00	\$15,694 00	.....	\$165,694 00	.....	.....	.....	.....	.....	.....	\$165,694 00
1831*.....	140,263 00	21,179 71	.....	161,442 71	.....	.....	.....	.....	.....	\$2,818 66	164,261 37
1832.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1,057 66	1,057 66
1833.....	25,737 00	4,506 55	.....	30,245 55	.....	.....	.....	.....	.....	2,072 98	32,316 53
1834.....	.....	.....	.....	.....	.....	.....	.....	.....	\$2,398 39	.....	2,398 39
1835.....	.....	.....	.....	.....	.....	.....	.....	.....	4,153 07	27 40	4,180 47
1836.....	.....	.....	.....	.....	.....	.....	.....	.....	5,078 37	275 00	5,353 37
1837.....	.....	.....	.....	.....	.....	.....	.....	.....	4,342 99	22 69	4,365 68
1838.....	.....	.....	.....	.....	.....	.....	.....	.....	4,478 01	.....	4,478 01
1839.....	.....	.....	.....	.....	.....	.....	.....	.....	4,767 62	.....	4,767 62
1840.....	.....	.....	.....	.....	.....	.....	.....	.....	5,011 50	.....	5,011 50
1841.....	114,292 23	.....	\$14,292 23	100,000 00	.....	.....	\$526 39	.....	7,158 18	.....	107,684 57
1842.....	172,830 23	.....	.....	172,830 24	\$20,000 00	.....	.....	.....	7,206 28	.....	200,036 52
1843.....	53,478 11	.....	.....	53,478 11	.....	.....	.....	.....	9,188 51	.....	62,666 62
1844.....	7,000 00	.....	.....	7,000 00	.....	.....	.....	.....	12,950 92	.....	19,950 92
1845.....	.....	.....	.....	.....	.....	.....	.....	.....	20,281 70	.....	20,281 70
1846.....	.....	.....	.....	.....	.....	.....	.....	.....	15,862 99	.....	15,862 99
1847.....	.....	.....	.....	.....	.....	.....	.....	\$35,934 59	13,677 28	.....	49,611 87
1848.....	.....	.....	.....	.....	.....	35,954 59	.....	.....	16,821 58	.....	52,756 17
1849.....	.....	.....	.....	.....	.....	172,647 73	.....	.....	16,048 96	.....	195,817 57
1850.....	.....	.....	.....	.....	.....	296,105 18	.....	.....	16,276 54	7,120 88	195,817 57
1851.....	.....	.....	.....	.....	.....	53,066 32	.....	.....	15,986 04	14,194 20	326,575 92
1852.....	.....	.....	.....	.....	.....	11,177 76	.....	.....	15,683 31	2,620 00	71,672 36
1853.....	.....	.....	.....	.....	.....	10,394 21	.....	.....	20,810 23	.....	26,861 07
1854.....	.....	.....	.....	.....	.....	10,394 21	.....	.....	19,635 35	.....	31,201 44
1855.....	.....	.....	.....	.....	.....	10,394 21	.....	.....	19,771 91	.....	30,029 56
1856.....	.....	.....	.....	.....	.....	10,394 21	.....	.....	17,111 13	6,971 63	37,177 75
1857.....	.....	.....	.....	.....	.....	10,394 21	.....	.....	17,101 71	1,744 11	29,245 45
1858.....	.....	.....	.....	.....	.....	10,394 21	.....	.....	13,347 95	.....	27,495 92
1859.....	.....	.....	.....	.....	.....	10,394 21	.....	.....	16,868 66	.....	23,742 16
1860.....	.....	.....	.....	.....	.....	63,070 15	.....	.....	18,579 46	606 27	27,869 14
1861.....	.....	.....	.....	.....	.....	135,033 11	.....	.....	15,319 04	35 78	81,685 39
1862.....	.....	.....	.....	.....	.....	7,233 33	.....	.....	19,901 96	2,459 42	150,352 84
.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	29,594 71





STATEMENT No. 49—(Continued).  
CHEMUNG CANAL.

58

[ASSEMBLY,

YEARS.	DEFICIENCIES.		PAID.						Miscella- neous.	Total.
	Paid by the General Fund.	Paid by the Erie and Champlain canals.	Principal of loans.	Temporary loans.	Interest on loans.	Canal com- missioners and Superin- tendent of Public Works.	Superin- tendent of repairs.	Collectors.		
1830.....	.....	.....	.....	.....	\$3,125 00	\$69,190 00	.....	.....	.....	\$72,315 00
1831*.....	.....	.....	.....	.....	7,378 29	148,291 57	.....	.....	\$2 10	155,671 96
1832.....	.....	.....	.....	.....	14,513 16	75,410 47	.....	.....	16 05	89,939 68
1833.....	\$43,730 28	.....	.....	.....	14,891 29	47,793 38	\$26,448 53	.....	400 00	89,533 20
1834.....	49,723 55	.....	.....	.....	15,800 04	2,258 91	23,703 48	\$696 48	263 03	42,721 94
1835.....	23,841 29	.....	.....	.....	15,800 04	9 08	21,175 89	1,036 75	.....	28,021 76
1836.....	21,107 70	.....	.....	.....	15,800 03	.....	9,623 16	1,037 88	.....	26,461 07
1837.....	31,278 06	.....	.....	.....	15,800 00	3,558 91	15,193 82	1,091 13	.....	35,643 74
1838.....	29,833 11	.....	.....	.....	15,800 00	1,859 91	12,106 16	992 97	.....	34,311 12
1839.....	26,536 63	.....	.....	.....	15,800 00	.....	14,315 71	1,187 92	3,552 08	31,303 65
1840.....	24,094 57	.....	.....	.....	15,800 00	.....	41,969 24	1,268 33	.....	29,106 07
1841.....	.....	\$35,702 40	.....	.....	18,535 21	100,056 81	23,175 22	1,201 54	103 39	143,072 17
1842.....	.....	53,151 75	\$7,000 00	.....	25,830 21	185,987 49	33,451 59	1,076 23	157 55	253,503 07
1843.....	.....	41,086 27	8,000 00	\$20,000 00	34,629 11	25,417 46	14,486 27	1,159 48	60 65	103,752 89
1844.....	.....	35,985 80	.....	.....	35,678 69	3,467 07	12,172 23	1,085 80	224 60	52,628 39
1845.....	.....	34,100 95	.....	.....	35,862 88	9 90	17,280 27	1,239 50	576 00	54,968 55
1846.....	.....	36,225 87	.....	.....	34,944 31	1,646 00	14,689 55	1,445 00	109 00	53,843 86
1847.....	.....	7,730 12	.....	.....	35,934 59	4,360 86	15,485 39	1,561 15	13 01	57,355 00
1848.....	.....	12,789 76	.....	.....	35,934 59	328 66	27,080 33	2,030 00	172 35	65,545 93
1849.....	.....	23,040 32	139,148 24	.....	33,499 49	10,876 96	23,897 06	2,136 00	1,254 56	219,812 31
1850.....	.....	54,154 10	272,724 64	.....	23,380 54	53,768 39	28,885 79	1,896 21	74 45	380,730 02
1851.....	.....	37,426 19	42,495 06	.....	10,571 26	11,044 92	42,330 76	2,506 35	90 20	109,098 55
1852.....	.....	27,681 48	780 30	.....	10,397 46	2,144 06	32,952 17	2,198 36	70 20	48,542 55
1853.....	.....	18,626 28	.....	.....	10,394 21	12,665 24	22,883 28	2,214 84	673 15	49,830 72
1854.....	.....	18,963 53	.....	.....	10,394 31	3,017 11	33,099 05	2,187 92	265 10	48,998 09
1855.....	.....	5,660 85	.....	.....	10,394 21	6,971 63	23,094 86	2,252 97	84 93	42,798 60
1856.....	.....	3,424 12	.....	.....	10,394 21	3,223 28	4,652 49	2,403 11	12,000 48	32,673 57
1857.....	.....	91,179 43	.....	.....	10,394 21	29,988 16	66,101 23	2,435 05	9,756 70	118,675 35
1858.....	.....	179,310 77	.....	.....	10,394 21	28,345 22	161,702 33	2,604 82	6 35	203,052 93
1859.....	.....	47,197 37	.....	.....	10,394 21	39,026 44	18,786 02	2,195 01	4,665 83	75,067 51
1860.....	.....	67,239 14	53,478 11	.....	9,592 04	69,737 13	316 67	3,264 81	12,485 77	148,924 53
1861.....	.....	33,436 14	132,974 23	.....	2,058 88	20,828 36	6,510 67	2,628 39	18,788 48	183,789 01

1862.....	80,100 53	7,000 00	.....	233 33	81,911 75	7,628 96	2,294 62	20,626 58	119,695 22	
1863.....	83,073 63	.....	.....	.....	34,356 79	53,324 59	2,256 50	19,327 94	109,265 42	
1864.....	49,782 94	.....	.....	.....	43,290 86	12,859 91	2,392 74	25,484 14	80,027 65	
1865.....	87,357 58	.....	.....	.....	43,486 76	16,713 24	2,845 55	72,736 08	135,781 63	
1866.....	45,311 69	.....	.....	.....	94,784 34	18,219 19	3,189 21	33,650 90	149,842 64	
1867.....	65,714 98	.....	.....	.....	86,708 79	3,207 04	3,318 19	78,225 01	171,459 03	
1868.....	51,145 31	.....	.....	.....	38,108 40	.....	2,981 94	48,117 06	89,207 40	
1869.....	31,550 41	.....	.....	.....	40,185 18	1,431 17	3,110 28	36,000 00	80,726 63	
1870.....	50,981 03	.....	.....	.....	107,850 46	826 69	3,821 18	30,790 96	143,289 39	
1871.....	91,457 15	.....	.....	.....	97,761 57	2,912 31	3,801 68	87,667 45	192,143 01	
1872.....	79,313 99	.....	.....	.....	47,584 64	30,061 79	3,740 84	37,597 68	118,984 95	
1873.....	33,287 53	.....	.....	.....	31,593 17	31,867 65	3,696 98	2,668 64	69,826 64	
1874.....	35,676 51	.....	.....	.....	7,802 06	34,004 86	3,681 80	.....	45,506 72	
1875.....	24,045 88	.....	.....	.....	14,398 22	20,815 02	2,547 79	2,428 66	40,189 69	
1876.....	7,689 87	.....	.....	.....	10,515 01	5,202 27	1,652 99	400 65	17,770 92	
1877.....	18,494 81	.....	.....	.....	.....	20,657 21	1,049 24	.....	21,706 45	
1878.....	6,431 61	.....	.....	.....	35,235 72	7,479 51	503 78	873 82	44,092 83	
1879.....	4,145 40	.....	.....	.....	4,943 51	3,413 16	223 74	94 70	8,675 11	
1880.....	6,119 07	.....	.....	.....	1,933 65	.....	.....	.....	6,243 39	
1881.....	6,103 47	.....	.....	.....	6,103 47	4,309 74	.....	.....	6,103 47	
1882.....	.....	.....	.....	.....	503 45	.....	.....	20 02	523 47	
1883, 1884.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	
1885.....	.....	.....	.....	.....	1,006 82	.....	.....	10 28	1,017 10	
1886.....	.....	.....	.....	.....	925 00	.....	.....	28 43	953 43	
1887.....	.....	.....	.....	.....	3,650 00	.....	.....	.....	3,650 00	
1888.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	
1889.....	.....	.....	.....	.....	3,237 50	.....	.....	787 06	4,024 56	
1890.....	.....	.....	.....	.....	14,007 92	.....	.....	1,195 11	15,203 03	
1891.....	.....	.....	.....	.....	7,752 62	.....	.....	654 74	8,407 36	
1892.....	.....	.....	.....	.....	12,547 98	.....	.....	2,886 62	15,434 69	
1893.....	.....	.....	.....	.....	.....	.....	.....	2,465 50	2,465 50	
1894.....	.....	.....	.....	.....	4,815 28	.....	.....	954 86	5,770 14	
1895.....	.....	.....	.....	.....	13,681 65	.....	.....	1,261 64	14,943 29	
Total ...	\$241,144 59	\$1,725,877 03	\$663,600 58	\$20,000 00	\$571,349 91	\$1,866,131 93	\$1,023,502 53	\$96,212 79	\$572,820 74	\$4,813,618 48

\* Nine months.

STATEMENT of receipts and payments on account of the Crooked Lake canal in each year, up to September 30, 1895, inclusive, viz.:

YEARS.	Loans.	Premium on loans.	RECEIVED.				DEFICIENCIES.		
			Avails of loans.	From Sink- ing Fund	Tolls.	Miscella- neous.	Totals.	Paid by the General Fund.	Paid by the Erie and Champlain canals.
1831*.	\$100,000 00	.....	\$100,000 00	.....	.....	.....	\$100,000 00	.....	.....
1832.	.....	.....	.....	.....	.....	.....	.....	.....	.....
1833.	20,000 00	\$20,402 26	40,402 26	.....	.....	\$5,997 24	46,399 50	\$12,829 82	.....
1834.	.....	.....	.....	.....	\$1,007 60	.....	1,007 60	8,243 35	.....
1835.	.....	.....	.....	.....	1,803 76	.....	1,803 76	9,794 28	.....
1836.	.....	.....	.....	.....	1,953 90	.....	1,953 90	10,323 54	.....
1837.	.....	.....	.....	.....	1,547 61	.....	1,547 61	11,037 55	.....
1838.	.....	.....	.....	.....	1,566 06	.....	1,566 06	7,769 52	.....
1839.	.....	.....	.....	.....	1,893 90	.....	1,893 90	9,819 72	.....
1840.	.....	.....	.....	.....	1,613 16	.....	1,613 16	.....	\$14,429 46
1841.	.....	.....	.....	.....	2,023 46	.....	2,023 46	.....	13,718 06
1842.	.....	.....	.....	.....	1,216 73	.....	1,216 73	.....	9,213 34
1843.	.....	.....	.....	.....	1,341 60	.....	1,341 60	.....	9,380 60
1844.	.....	.....	.....	.....	1,367 21	.....	1,367 21	.....	10,048 11
1845.	.....	.....	.....	.....	1,662 84	.....	1,662 84	.....	36,771 78
1846.	.....	.....	.....	.....	1,846 37	.....	1,846 37	.....	51,797 10
1847.	.....	.....	.....	.....	1,774 55	.....	7,774 55	.....	65,076 49
1848.	.....	.....	.....	\$6,000 00	1,858 04	.....	7,858 04	.....	11,341 26
1849.	.....	.....	.....	6,000 00	1,819 17	75 00	7,894 17	.....	13,225 84
1850.	.....	.....	.....	6,000 00	1,796 17	870 00	127,666 18	.....	11,773 68
1851.	.....	.....	.....	125,000 01	1,714 34	15 00	1,729 34	.....	7,654 52
1852.	.....	.....	.....	.....	1,246 02	1,750 92	2,996 94	.....	4,651 75
1853.	.....	.....	.....	.....	1,656 75	4,700 00	6,356 75	.....	4,740 43
1854.	.....	.....	.....	.....	1,303 69	.....	1,303 69	.....	5,371 36
1855.	.....	.....	.....	.....	837 48	.....	837 48	.....	4,447 78
1856.	.....	.....	.....	.....	1,154 48	.....	1,154 48	.....	11,812 65
1857.	.....	.....	.....	.....	879 26	.....	879 26	.....	10,409 09
1858.	.....	.....	.....	.....	520 82	.....	520 82	.....	4,935 49
1859.	.....	.....	.....	.....	715 06	.....	715 06	.....	5,616 78
1860.	.....	.....	.....	.....	883 34	.....	683 34	.....	6,384 27
1861.	.....	.....	.....	.....	699 94	.....	699 94	.....	7,309 21
1862.	.....	.....	.....	.....	712 70	.....	712 70	.....	



1863.....	.....	.....	.....	.....	746 40	2,126 82	2,873 22	.....	5,130 76
1864.....	.....	.....	.....	.....	585 88	3,367 62	3,953 50	.....	33,436 02
1865.....	.....	.....	.....	.....	290 65	6,171 94	6,462 59	.....	36,798 20
1866.....	.....	.....	.....	.....	534 96	4,925 00	5,359 96	.....	7,369 16
1867.....	.....	.....	.....	.....	672 93	.....	672 93	.....	7,624 69
1868.....	.....	.....	.....	.....	359 91	21,991 97	22,351 88	.....	7,830 73
1869.....	.....	.....	.....	.....	338 81	42,667 85	43,006 66	.....	8,262 96
1870.....	.....	.....	.....	.....	401 74	950 80	1,352 54	.....	7,109 29
1871.....	.....	.....	.....	.....	301 47	4,800 00	5,101 47	.....	73,532 07
1872.....	.....	.....	.....	.....	270 24	.....	270 54	.....	13,435 01
1873.....	.....	.....	.....	.....	228 61	3,735 31	3,963 92	.....	7,096 97
1874.....	.....	.....	.....	.....	248 53	.....	248 53	.....	12,519 94
1875.....	.....	.....	.....	.....	126 09	.....	127 79	.....	7,532 36
1876.....	.....	.....	.....	.....	30 48	1 70	30 48	.....	1,562 41
1877.....	.....	.....	.....	.....	.....	36 00	36 00	.....	.....
1878.....	.....	.....	.....	.....	.....	100 00	100 00	.....	616 36
1879.....	.....	.....	.....	.....	.....	2,070 00	2,070 00	.....	.....
1880.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
1881.....	.....	.....	.....	.....	.....	.....	.....	.....	156 81
1882 to 1895.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Total .....	\$120,000 00	\$20,402 26	\$140,402 26	\$143,000 01	\$45,352 71	\$106,253 17	\$435,008 15	\$69,817 78	\$550,232 88
Deficiencies paid by General Fund and Erie and Champlain canals.....									
							620,050 66		
							\$1,055,058 81		

\* Nine months.

STATEMENT No. 50 — (Continued.)

CROOKED LAKE CANAL.

YEARS.	PAID.						Total.
	Principal of loans.	Interest on loans.	Canal Com- missioners and Superin- tendent of Public Works.	Superin- tendents of repairs.	Collectors.	Miscella- neous.	
1831*	.....	\$1,537 67	\$11,350 00	.....	.....	.....	\$12,887 67
1832.	.....	5,000 00	62,906 46	.....	.....	.....	67,906 46
1833.	.....	5,250 00	52,461 30	.....	.....	.....	57,711 30
1834.	.....	6,000 00	13,293 82	\$2,437 67	.....	.....	21,731 49
1835.	.....	6,000 00	1 70	3,694 66	\$350 75	.....	10,047 11
1836.	.....	6,000 00	255 90	5,063 82	425 25	\$3 21	11,748 18
1837.	.....	6,000 00	402 31	5,743 71	725 13	.....	12,871 15
1838.	.....	6,000 00	.....	5,063 07	543 54	.....	11,603 61
1839.	.....	6,000 00	.....	2,778 31	885 11	.....	9,663 42
1840.	.....	6,000 00	.....	4,559 23	873 65	.....	11,432 88
1841.	.....	6,000 00	2 00	9,403 07	987 85	.....	16,452 92
1842.	.....	6,000 00	.....	8,016 66	918 13	.....	14,934 79
1843.	.....	6,000 00	.....	3,674 16	880 78	.....	10,554 94
1844.	.....	6,000 00	.....	3,905 84	842 06	.....	10,747 90
1845.	.....	6,000 00	.....	4,844 67	857 28	.....	11,710 95
1846.	.....	6,000 00	9 00	5,384 00	875 73	.....	38,618 15
1847.	.....	6,000 00	26,358 42	6,065 89	875 00	.....	59,571 65
1848.	.....	6,000 00	46,630 76	8,558 88	881 87	.....	72,934 53
1849.	.....	6,000 00	57,493 78	10,208 40	863 42	.....	19,235 43
1850.	.....	6,000 00	2,163 61	4,983 72	777 04	.....	140,892 02
1851.	\$120,000 00	5,000 01	10,131 25	6,118 94	954 80	.....	13,503 02
1852.	.....	.....	6,429 28	7,975 12	925 42	.....	10,651 46
1853.	.....	.....	1,750 92	5,350 00	958 50	.....	6,308 50
1854.	.....	.....	1,719 65	5,122 08	922 04	.....	7,763 77
1855.	.....	.....	2,565 20	5,320 39	888 45	.....	8,774 04
1856.	.....	.....	780 00	694 16	888 02	3,240 08	5,602 26
1857.	.....	.....	7,340 70	199 98	703 86	4,447 37	12,691 91
1858.	.....	.....	584 20	.....	542 25	9,803 46	10,929 91
1859.	.....	.....	147 78	.....	440 09	5,062 68	5,650 55
1860.	.....	.....	467 24	.....	670 34	5,037 54	6,300 12
1861.	.....	.....	573 10	125 00	493 98	6,017 13	7,084 21
1862.	.....	.....	284 90	2,468 94	635 69	4,692 38	8,081 81

1863.....	.....	.....	.....	2,306 66	.....	.....	.....	555 56	5,141 76	8,008 98
1864.....	.....	.....	.....	13,446 85	.....	.....	.....	579 27	23,363 40	37,389 52
1865.....	.....	.....	.....	6,432 68	.....	.....	.....	627 53	36,200 58	43,260 79
1866.....	.....	.....	.....	4,997 80	.....	.....	.....	687 63	7,185 84	13,144 27
1867.....	.....	.....	.....	240 50	.....	.....	.....	680 98	6,990 00	8,297 62
1868.....	.....	.....	.....	22,373 82	.....	.....	.....	592 79	7,216 00	30,182 61
1869.....	.....	.....	.....	43,092 10	.....	.....	.....	659 26	6,584 94	51,269 62
1870.....	.....	.....	.....	.....	.....	.....	.....	741 26	7,120 58	8,461 83
1871.....	.....	.....	.....	5,729 32	.....	.....	.....	673 98	8,298 96	78,633 54
1872.....	.....	.....	.....	858 58	.....	.....	.....	670 66	8,847 92	13,705 25
1873.....	.....	.....	.....	3,735 31	.....	.....	.....	673 48	6,652 10	11,060 89
1874.....	.....	.....	.....	.....	.....	.....	.....	676 27	4,262 46	12,768 47
1875.....	.....	.....	.....	243 00	.....	.....	.....	313 35	.....	7,710 15
1876.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1,592 89
1877.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	36 00
1878.....	.....	.....	.....	716 36	.....	.....	.....	.....	.....	716 36
1879.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	2,070 00
1880.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
1881.....	.....	.....	.....	150 00	.....	.....	.....	.....	.....	.....
1882 to 1895.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Total.....	\$120,000 00	\$112,787 68	\$410,426 26	\$213,865 62	\$29,698 05	\$168,281 20	\$1,055,058 81			

\* Nine months.

† Surplus to Erie and Champlain canals.



*STATEMENT of receipts and payments on account of the Chenango canal in each year, up to September 30, 1895,  
inclusive, viz.:*

YEARS.	RECEIVED.					Discount on loans.	Premium on loans.	Loans.	RECEIVED.				Total.
	Avails of loans.	Erie and Champlain tolls to redeem stock.	From Sinking Fund.	Tolls.	Miscellaneous.								
1833.....	\$50,000 00	\$7,755 00	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	\$57,755 00
1834.....	950,000 00	66,255 00	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1,019,693 69
1835.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	49,229 02
1836.....	650,000 00	13,000 00	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	666,075 33
1837.....	620,000 00	5,979 67	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	630,151 52
1838.....	92,535 66	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	109,411 78
1839.....	20,000 00	500 00	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	38,550 33
1840.....	20,000 00	.....	\$975 00	.....	.....	.....	.....	.....	.....	.....	.....	.....	33,162 32
1841.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	16,893 02
1842.....	6,102 34	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	21,432 91
1843.....	8,362 00	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	23,030 94
1844.....	3,000 00	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	23,983 05
1845.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	23,920 66
1846.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	2,388,114 42
1847.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	28,898 89
1848.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	37,962 10
1849.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	40,830 86
1850.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	30,997 28
1851.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	23,057 62
1852.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	38,573 58
1853.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	19,759 61
1854.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	40,397 87
1855.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	24,051 15
1856.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	19,491 00
1857.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	23,621 19
1858.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	16,084 79
1859.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	20,252 46
1860.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	42,574 66
1861.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	23,588 70
1862.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	25,255 94
1863.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	30,149 53
1864.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	30,809 11
1865.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	37,561 43



STATEMENT No. 51 — (Concluded).

CHENANGO CANAL.

YEARS.	DEFICIENCIES.		PAID.							
	Paid by the General Fund.	Paid by the Erie and Champlain canals.	Principal of loans.	Interest on loans.	Surplus tolls to Erie and Champlain canals.	Canal Commissioners and Superintendent of Public Works.	Superintendents of repairs.	Expenses of collectors and inspectors.	Miscellaneous.	Total.
1833.	.....	.....	.....	\$1,042 81	.....	\$9,222 65	.....	.....	\$57 33	\$10,322 79
1834.	.....	.....	.....	25,619 86	.....	211,013 44	.....	.....	.....	230,633 30
1835.	.....	.....	.....	50,000 00	.....	651,782 45	.....	.....	67 36	701,849 81
1836.	.....	.....	.....	65,637 81	.....	911,035 10	.....	.....	228 90	976,901 81
1837.	.....	.....	.....	88,227 39	.....	480,807 02	.....	.....	315 81	588,013 84
1838.	\$102,749 16	.....	.....	133,445 66	.....	65,759 17	\$18,663 62	.....	.....	220,586 11
1839.	136,042 97	.....	.....	118,426 80	.....	47,458 98½	20,270 95	\$1,074 85	35 48	220,586 11
1840.	118,994 25	.....	.....	119,576 79	.....	12,232 90	16,990 64	1,576 00	803 60	185,256 02
1841.	121,774 37	.....	.....	120,326 76	.....	5,349 47	14,775 24	1,559 66	4,417 26½	152,561 95½
1842.	.....	.....	.....	120,450 79	.....	5,075 33	16,638 05	1,931 42	563 88	144,809 58
1843.	.....	.....	.....	120,974 23	.....	668 05	18,467 28	1,821 00	6,291 85	152,106 25
1844.	.....	.....	.....	121,295 96	.....	3,942 72	15,917 35	1,395 40	2,624 08	141,579 11
1845.	.....	.....	.....	121,374 89	.....	153 95	15,700 51	1,233 02	1,346 59	143,518 80
1846.	.....	.....	.....	33,219 03	.....	152 47	18,283 33	1,198 91	.....	141,011 08
1847.	.....	.....	\$2,336,310 66	3,278 88	.....	2,704 28	17,827 13	1,332 00	730 98	2,389,572 27
1848.	.....	.....	22,195 00	3,278 88	\$3,983 97	119 06	18,404 54	1,226 00	842 77	53,635 44
1849.	.....	.....	3,430 00	3,172 09	5,897 85	817 88	20,471 02	1,418 49	7,264 72	41,880 02
1850.	.....	1,261 35	6,702 34	2,851 72	.....	5,051 91	27,772 21	1,442 12	2,785 57	42,692 21
1851.	.....	6,037 60	.....	2,351 72	.....	1,064 75	25,071 12	1,237 68	2,822 45	37,034 88
1852.	.....	12,975 92	.....	1,651 72	.....	6,112 00	31,110 32	1,426 08	80 67	36,033 54
1853.	.....	25,236 34	20,000 00	1,651 72	.....	.....	34,706 26	1,339 94	.....	63,809 92
1854.	.....	21,143 62	.....	1,651 72	.....	.....	37,752 37	1,400 79	90 35	40,903 23
1855.	.....	31,383 42	20,000 00	901 72	.....	.....	49,476 20	1,403 37	.....	71,781 29
1856.	.....	25,502 96	.....	651 72	.....	3,095 35	44,250 04	1,557 00	.....	49,554 11
1857.	.....	6,009 47	.....	651 72	.....	1,589 35	10,301 24	1,723 86	12,234 30	25,500 47
1858.	.....	7,196 60	.....	651 72	.....	160 00	2,276 18	1,923 39	25,806 50	38,817 79
1859.	.....	32,011 08	.....	651 71	.....	616 21	23,785 09	1,981 10	21,061 75	48,095 87
1860.	.....	10,077 39	.....	651 72	.....	1,933 72	3,450 19	1,383 66	22,910 56	30,329 85
1861.	.....	8,619 89	.....	526 29	.....	11,757 84	1,893 95	1,761 57	25,175 90	49,477 55
1862.	.....	40,046 00	8,362 00	150 00	.....	39,097 72	1,210 98	1,744 35	21,431 65	63,634 70
1863.	.....	21,564 25	3,000 00	100 00	.....	12,577 91	1,215 98	1,860 74	28,065 56	46,820 19
1864.	.....	13,474 28	.....	.....	.....	9,357 43	1,620 78	1,904 36	31,741 24	44,623 81
1864.	.....	51,062 20	.....	.....	.....	38,410 12	3,210 97	2,107 10	38,143 12	81,871 31



1865.	.....	117,597 57	.....	.....	.....	51,983 95	4,039 74	2,654 17	96,481 14	55,159 00
1866.	.....	89,116 18	.....	.....	.....	191,021 01	12,333 31	2,888 49	76,352 87	282,575 68
1867.	.....	116,143 40	.....	.....	.....	654,088 55	2,363 48	2,809 85	52,835 01	712,096 89
1868.	.....	123,756 43	.....	.....	.....	256,122 72	.....	2,471 68	65,016 93	323,610 33
1869.	.....	33,087 29	.....	.....	.....	261,536 00	3,249 98	2,775 52	44,606 52	312,168 02
1870.	.....	112,550 97	.....	.....	.....	447,674 79	17,373 56	2,935 89	73,615 57	541,599 81
1871.	.....	176,714 22	.....	.....	.....	447,674 79	87,776 30	2,531 14	43,186 24	527,624 57
1872.	.....	117,252 29	.....	.....	.....	194,130 89	37,776 30	2,460 08	37,315 21	333,747 60
1873.	.....	36,811 31	.....	.....	.....	246,110 64	47,861 67	2,435 17	26,213 12	263,695 77
1874.	.....	39,284 24	.....	.....	.....	205,216 43	29,831 05	2,450 24	17,347 20	179,830 78
1875.	.....	20,994 59	.....	.....	.....	119,328 09	40,705 25	1,584 11	537 59	35,174 42
1876.	.....	4,602 03	.....	.....	.....	8,810 51	24,242 21	557 08	145 68	10,241 17
1877.	.....	6,563 70	.....	.....	.....	1,803 33	7,735 08	237 50	1,483 23	12,642 11
1878.	.....	2,759 73	.....	.....	.....	4,750 04	6,171 34	.....	69 79	7,768 53
1879.	.....	8,878 57	.....	.....	.....	5,940 23	1,758 51	.....	9 37	9,583 07
1880.	.....	6,282 59	.....	.....	.....	7,850 91	1,722 79	.....	29 85	7,623 94
1881.	.....	4,345 04	.....	.....	.....	6,134 59	1,459 50	.....	19 65	5,136 19
1882.	.....	2,895 37	.....	.....	.....	3,989 27	1,127 27	.....	.....	3,043 67
1883.	.....	2,717 07	.....	.....	.....	2,833 67	250 00	.....	.....	3,424 55
1884.	.....	.....	.....	.....	.....	3,417 07	.....	.....	7 48	4,324 20
1885.	.....	.....	.....	.....	.....	4,324 20	.....	.....	.....	14,918 61
1886.	.....	.....	.....	.....	.....	14,633 77	.....	.....	284 84	5,605 56
1887.	.....	.....	.....	.....	.....	5,564 23	.....	.....	41 33	2,111 10
1888.	.....	.....	.....	.....	.....	2,081 39	.....	.....	29 71	1,426 23
1889.	.....	.....	.....	.....	.....	1,426 23	.....	.....	.....	3,222 13
1890.	.....	.....	.....	.....	.....	3,222 13	.....	.....	.....	1,383 03
1891.	.....	.....	.....	.....	.....	1,254 52	.....	.....	128 51	4,572 91
1892.	.....	.....	.....	.....	.....	971 42	.....	.....	.....	23,436 39
1893.	.....	.....	.....	.....	.....	4,499 40	.....	.....	73 51	8,948 74
1894.	.....	.....	.....	.....	.....	21,332 96	.....	.....	2,103 43	12,454 48
1895.	.....	.....	.....	.....	.....	8,448 74	.....	.....	500 00	.....
	.....	.....	.....	.....	.....	1,891 90	.....	.....	10,562 58	.....
Total ...	\$479,560 75	\$1,967,967 01	\$2,420,000 00	\$1,262,792 12	\$9,881 82	\$5,281,512 81½	\$801,514 58	\$70,754 78	\$805,943 69½	\$10,652,399 81½

(No. 52.)

STATEMENT of receipts and payments on account of the Black River canal in each year, up to September 30, 1895, inclusive, viz.:

YEARS.	Loans.	Premiums on loans.	Discount on loans.	RECEIVED.						Tolls.	Miscellaneous.	Total.
				Avails of loans.	Temporary loans.	Interest on deposits.	From Sinking Fund.	From other funds.				
1837.....	\$179,155 51	\$14,079 66	.....	\$193,235 17	.....	.....	.....	.....	.....	.....	\$193,235 17	
1838. ....	412,290 59	7,550 53	.....	419,841 12	.....	\$11,825 65	.....	.....	.....	.....	491,666 77	
1839.....	.....	.....	.....	.....	.....	5,980 94	.....	.....	.....	.....	52,443 90	
1840.....	208,553 90	.....	.....	208,553 90	\$150,000 00	2,719 89	.....	\$46,462 96	.....	.....	604,908 49	
1841.....	276,706 23	.....	\$26,706 23	250,000 00	200,000 00	2,487 21	.....	243,634 70	.....	.....	452,487 21	
1842.....	365,988 65	.....	.....	365,988 65	18,967 00	.....	.....	.....	.....	.....	384,955 65	
1843.....	50,305 12	.....	.....	50,305 12	.....	.....	.....	.....	.....	.....	50,305 12	
1844.....	13,000 00	.....	.....	13,000 00	.....	.....	.....	.....	.....	.....	13,000 00	
1845.....	38,000 00	.....	.....	38,000 00	.....	.....	.....	.....	.....	.....	38,000 00	
1846.....	20,000 00	.....	.....	20,000 00	.....	.....	.....	.....	.....	.....	20,000 00	
1847.....	.....	.....	.....	.....	.....	.....	\$86,122 84	100,000 00	.....	.....	186,122 84	
1848.....	.....	.....	.....	.....	.....	.....	86,122 84	149,563 83	.....	.....	235,686 67	
1849.....	.....	.....	.....	.....	.....	.....	435,881 68	174,272 96	.....	.....	610,154 64	
1850.....	.....	.....	.....	.....	.....	.....	61,203 63	100,618 44	.....	\$1,115 73	165,030 89	
1851.....	.....	.....	.....	.....	.....	.....	527,042 86	76,359 30	.....	3,834 73	607,909 25	
1852.....	.....	.....	.....	.....	.....	.....	334,964 06	119,194 41	.....	4,166 05	458,388 75	
1853.....	.....	.....	.....	.....	.....	.....	21,203 63	93,353 79	.....	5,546 32	120,103 74	
1854.....	.....	.....	.....	.....	.....	.....	21,203 63	55,686 72	.....	5,843 42	82,733 77	
1855.....	.....	.....	.....	.....	.....	.....	21,283 06	51,349 24	.....	6,808 05	82,540 35	
1856.....	.....	.....	.....	.....	.....	.....	21,203 63	54,837 44	.....	5,594 10	89,303 31	
1857.....	.....	.....	.....	.....	.....	.....	21,388 29	50,000 00	.....	6,575 22	96,548 48	
1858.....	.....	.....	.....	.....	.....	.....	285,551 03	103,088 04	.....	4,998 48	393,809 68	
1859.....	.....	.....	.....	.....	.....	.....	16,268 31	18,810 84	.....	5,963 02	41,042 17	
1860.....	.....	.....	.....	.....	.....	.....	66,768 85	100,325 28	.....	6,330 71	173,424 84	
1861.....	.....	.....	.....	.....	.....	.....	3,750 00	72,389 31	.....	6,112 73	85,729 69	
1862.....	.....	.....	.....	.....	.....	.....	53,900 00	41,147 54	.....	8,647 82	103,940 22	
1863.....	.....	.....	.....	.....	.....	.....	1,200 00	7,083 62	.....	16,172 60	18,534 54	
1864.....	.....	.....	.....	.....	.....	.....	20,900 00	17,606 77	.....	10,078 30	48,585 07	
1865.....	.....	.....	.....	.....	.....	.....	.....	56,614 50	.....	10,985 87	67,600 37	
1866.....	.....	.....	.....	.....	.....	.....	.....	6,783 99	.....	11,802 81	20,233 81	
1867.....	.....	.....	.....	.....	.....	.....	.....	14,309 19	.....	12,993 01	27,302 20	





# STATEMENT No. 52.—(Concluded.)

## BLACK RIVER CANAL.

70

[ASSEMBLY,

YEARS.	DEFICIENCIES.		PAID.						Collectors.	Miscella- neous.	Total.
	Paid by the General Fund.	Paid by the Erie and Champlain canals.	Principal of the loans.	Temporary loans.	Interest on loans.	Canal Com- missioners and Superin- tendent of Public Works.	Superin- tendents.				
1837.....	.....	.....	.....	.....	\$2,239 44	\$5,255 55	.....	.....	.....	.....	\$7,494 99
1838.....	.....	.....	.....	.....	29,263 97	97,735 21	.....	.....	.....	.....	127,124 18
1839.....	.....	.....	.....	.....	20,572 28	513,154 39	.....	.....	.....	.....	542,726 67
1840.....	\$58,711 89	.....	.....	.....	39,792 87	537,794 74	.....	.....	.....	110 39	577,698 00
1841.....	.....	.....	.....	\$150,000 00	53,168 39	335,973 06	.....	.....	.....	32 88	539,174 33
1842.....	.....	74,186 24	.....	200,000 00	73,186 24	234,824 34	.....	.....	.....	47 75	509,058 33
1843.....	.....	81,641 08	.....	.....	81,641 08	24,928 61	.....	.....	.....	.....	106,569 69
1844.....	.....	83,171 09	.....	18,967 00	83,171 09	14,528 33	.....	.....	.....	480 75	117,147 17
1845.....	.....	84,400 46	.....	.....	84,400 46	39,147 14	.....	.....	.....	672 95	124,220 55
1846.....	.....	85,240 30	.....	.....	85,240 30	12,852 14	.....	.....	.....	820 12	98,912 56
1847.....	.....	.....	.....	.....	86,122 84	12,326 24	.....	.....	.....	545 66	94,994 74
1848.....	.....	.....	.....	.....	86,122 84	108,522 95	.....	.....	.....	9,262 37	203,908 16
1849.....	.....	.....	\$355,988 65	.....	79,893 03	233,373 97	.....	.....	.....	112 25	669,367 90
1850.....	8,898 79	.....	.....	.....	61,203 63	151,492 03	\$10,014 52	.....	.....	216 16	222,926 34
1851.....	22,236 53	.....	486,514 85	.....	40,528 01	95,590 17	25,753 83	\$317 43	.....	1,046 26	649,750 55
1852.....	25,704 22	.....	313,485 15	.....	21,478 91	118,356 30	29,404 55	529 95	.....	838 11	484,092 97
1853.....	19,423 53	.....	.....	.....	21,203 63	31,957 28	24,443 58	525 97	.....	395 44	78,526 20
1854.....	31,608 39	.....	.....	.....	21,203 63	33,026 36	30,500 35	554 15	.....	329 20	85,613 69
1855.....	29,616 30	.....	.....	.....	21,203 63	105,539 77	35,671 38	752 97	.....	361 20	163,531 95
1856.....	12,191 33	.....	.....	.....	21,203 63	93,437 29	10,855 81	764 34	.....	13,587 81	139,848 88
1857.....	8,423 15	.....	.....	.....	21,203 63	61,664 72	1,613 45	783 67	.....	19,706 16	104,971 63
1858.....	14,123 15	.....	267,806 23	.....	17,744 80	41,297 38	3,062 48	824 40	.....	35,510 74	366,246 03
1859.....	21,607 03	.....	8,900 00	.....	7,368 31	16,023 62	1,843 98	627 86	.....	28,010 29	62,774 06
1860.....	18,646 54	.....	60,305 12	.....	6,463 73	101,030 62	366 66	862 67	.....	21,929 80	190,958 60
1861.....	17,192 05	.....	.....	.....	3,750 00	103,593 31	6,173 23	667 13	.....	17,264 98	131,448 65
1862.....	14,935 27	.....	51,000 00	.....	2,900 00	33,870 86	2,183 58	640 85	.....	21,528 04	112,123 28
1863.....	10,696 18	.....	.....	.....	1,200 00	10,053 54	3,491 19	574 76	.....	25,066 18	40,385 67
1864.....	13,565 12	.....	20,000 00	.....	900 00	1,860 84	6,142 25	503 16	.....	19,352 93	48,759 18
1865.....	48,912 70	.....	.....	.....	.....	30,229 68	9,582 68	613 25	.....	41,636 22	82,061 83
1866.....	37,863 30	.....	.....	.....	.....	25,339 11	13,745 68	697 76	.....	33,279 50	73,062 05
1867.....	30,732 14	.....	.....	.....	.....	30,502 78	2,538 30	709 00	.....	41,140 26	74,890 34
1868.....	25,720 68	.....	.....	.....	.....	31,011 41	.....	757 07	.....	35,729 48	67,497 96
1869.....	57,712 25	.....	.....	.....	.....	29,773 26	5,168 00	1,352 09	.....	62,580 26	98,873 61





(No. 53.)

*STATEMENT of receipts and payments on account of the Genesee Valley canal in each year, up to the 30th of September, 1895, inclusive, viz.:*

YEARS.	Loans.	Premium on loans.	Discount on loans.	RECEIVED.						Tolls.	Interest on deposits.	Miscellaneous	Total.
				Avails of loans.	Temporary loans.	From Sinking Fund.	From other funds.						
1837.	\$11,764 71	\$1,315 29	.....	\$13,080 00	.....	.....	.....	.....	.....	.....	.....	.....	\$13,080 00
1838.	1,988,235 29	791 26	.....	1,989,026 55	.....	.....	.....	.....	.....	.....	\$90,120 52	.....	2,079,147 07
1839.	.....	.....	\$25,000 00	.....	.....	.....	.....	.....	.....	.....	64,580 14	.....	64,580 14
1840.	250,000 00	.....	31,378 82	225,000 00	\$100,000 00	.....	.....	.....	.....	.....	25,926 30	.....	350,926 30
1841.	306,379 82	.....	.....	275,000 00	455,000 00	.....	.....	.....	.....	\$12,275 44	.....	.....	746,368 14
1842.	810,376 62	.....	.....	810,376 62	.....	.....	.....	.....	.....	12,075 97	.....	.....	822,452 59
1843.	186,243 56	10,000 00	.....	196,243 56	.....	.....	.....	.....	.....	13,734 52	.....	.....	209,978 08
1844.	186,000 00	3,000 00	.....	189,000 00	.....	.....	.....	.....	.....	18,586 52	.....	.....	207,586 52
1845.	55,000 00	.....	.....	55,000 00	.....	.....	.....	.....	.....	20,484 17	.....	.....	75,484 17
1846.	91,000 00	.....	.....	91,000 00	.....	.....	.....	.....	.....	24,182 60	.....	.....	115,182 60
1847.	.....	.....	.....	.....	.....	\$213,129 97	\$128,000 00	.....	.....	25,055 20	.....	.....	366,185 17
1848.	.....	.....	.....	.....	.....	213,129 97	216,960 88	.....	.....	26,012 50	1,092 60	.....	457,195 95
1849.	.....	.....	.....	.....	.....	999,500 00	177,575 34	.....	.....	25,234 04	637 35	.....	1,202,946 73
1850.	.....	.....	.....	.....	.....	157,103 61	132,702 65	.....	.....	28,821 98	.....	.....	340,864 85
1851.	.....	.....	.....	.....	.....	157,103 61	139,246 62	.....	.....	25,451 36	.....	\$22,236 61	329,343 71
1852.	.....	.....	.....	.....	.....	157,103 61	209,077 29	.....	.....	25,064 39	.....	7,542 12	391,245 29
1853.	.....	.....	.....	.....	.....	157,103 61	259,786 98	.....	.....	30,183 73	.....	.....	447,074 32
1854.	.....	.....	.....	.....	.....	158,726 27	66,425 10	.....	.....	30,662 08	.....	.....	255,813 45
1855.	.....	.....	.....	.....	.....	172,148 84	119,437 89	.....	.....	28,390 12	1,500 00	.....	321,476 85
1856.	.....	.....	.....	.....	.....	157,295 61	90,986 41	.....	.....	23,365 84	2,000 00	.....	277,216 02
1857.	.....	.....	.....	.....	.....	189,296 88	32,000 00	.....	.....	25,966 70	.....	3,568 16	258,987 14
1858.	.....	.....	.....	.....	.....	693,199 08	110,955 64	.....	.....	25,651 07	.....	11,723 56	829,805 79
1859.	.....	.....	.....	.....	.....	142,831 61	10,053 80	.....	.....	28,163 93	.....	785 01	181,834 35
1860.	.....	.....	.....	.....	.....	322,584 52	75,256 03	.....	.....	30,801 74	.....	330 08	428,972 37
1861.	.....	.....	.....	.....	.....	1,992,510 00	24,893 34	.....	.....	29,189 60	.....	512 71	2,047,105 65
1862.	.....	.....	.....	.....	.....	277,493 33	66,052 80	.....	.....	28,697 27	.....	100 00	372,343 40
1863.	.....	.....	.....	.....	.....	22,460 00	10,924 68	.....	.....	32,477 98	.....	.....	66,132 66
1864.	.....	.....	.....	.....	.....	95,095 00	14,878 95	.....	.....	27,562 66	.....	267 91	137,804 52
1865.	.....	.....	.....	.....	.....	.....	52,853 19	.....	.....	15,785 16	.....	2,625 25	71,263 60
1866.	.....	.....	.....	.....	.....	.....	73,638 57	.....	.....	17,724 01	.....	48 81	91,411 39
1867.	.....	.....	.....	.....	.....	.....	64,960 16	.....	.....	25,394 63	.....	.....	90,345 79
1868.	.....	.....	.....	.....	.....	.....	25,123 91	.....	.....	23,770 88	.....	.....	48,804 79
1869.	.....	.....	.....	.....	.....	.....	156,024 57	.....	.....	22,216 80	.....	30 00	183,271 37
1870.	.....	.....	.....	.....	.....	10,000 00	236,474 45	.....	.....	17,736 36	.....	911 84	255,122 65



[illegible]

STATEMENT No. 53 — (Concluded).

GENESEE VALLEY CANAL.

YEARS.	DEFICIENCIES.		PAID.							Total.	
	Paid by the General Fund.	Paid by the Erie and Champlain canal.	Principal of loans.	Temporary loans.	Interest on loans.	Surplus to Erie and Champlain canals.	Canal Commissioners and Superintendent of Public Works.	Superintendents of repairs.	Collectors		Miscellaneous.
1837.	.....	.....	.....	.....	\$147 00	.....	\$22,371 86	.....	.....	.....	\$22,518 92
1838.	.....	.....	.....	.....	100,000 00	.....	229,161 20	.....	.....	.....	329,161 20
1839.	\$43,339 85	.....	.....	.....	100,000 00	.....	764,182 61	.....	.....	\$1,340 00	865,522 61
1840.	78,852 44	.....	.....	.....	102,602 74	.....	1,151,653 97	.....	.....	7,396 19	1,263,828 90
1841.	.....	\$123,370 26	.....	\$100,000 00	126,062 76	.....	612,760 50	\$2,176 00	\$924 73	188 55	852,687 45
1842.	.....	178,773 56	.....	455,000 00	171,478 22	.....	520,400 56	18,062 75	1,308 56	912 18	1,167,171 27
1843.	.....	190,509 96	.....	.....	188,982 85	.....	170,667 75	13,669 85	1,591 78	1,846 17	367,758 40
1844.	.....	196,794 74	.....	.....	198,120 75	.....	202,106 67	15,719 96	1,540 55	1,197 61	418,685 54
1845.	.....	201,874 59	.....	.....	205,201 27	.....	35,311 25	15,776 49	1,381 00	26,428 16	284,098 17
1846.	.....	204,022 19	.....	.....	204,126 59	.....	39,328 58	17,614 20	1,464 00	740 15	268,273 52
1847.	.....	.....	.....	.....	213,129 97	\$7,766 87	10,441 67	15,782 32	1,506 01	1,414 17	250,041 01
1848.	.....	2,520 46	.....	.....	213,129 97	.....	33,035 89	26,987 41	1,545 55	9,534 91	284,233 73
1849.	.....	.....	\$800,376 72	.....	199,123 38	6,442 78	184,768 71	17,244 51	1,546 75	35,016 76	1,214,519 51
1850.	.....	.....	.....	.....	157,103 61	10,084 83	375,164 73	17,350 00	1,387 15	162 67	561,252 99
1851.	.....	.....	.....	.....	154,103 61	.....	229,380 52	34,478 74	2,221 85	691 36	423,876 08
1852.	11,249 23	.....	.....	.....	157,103 61	.....	208,930 94	73,290 05	3,092 61	146 35	442,563 56
1853.	51,318 27	.....	.....	.....	157,103 61	.....	182,546 38	59,291 41	2,801 88	7,419 97	409,163 25
1854.	31,909 56	.....	.....	.....	157,103 61	.....	94,939 79	44,759 69	3,123 34	1,684 04	305,610 47
1855.	19,220 95	.....	.....	.....	157,103 61	.....	123,680 58	51,417 00	2,877 76	1,370 96	336,449 91
1856.	25,904 64	.....	.....	.....	157,103 61	.....	123,820 60	22,192 85	3,377 25	11,033 18	317,517 49
1857.	12,039 69	.....	.....	.....	157,103 61	.....	69,879 20	41,032 14	3,891 52	47,540 59	319,447 06
1858.	38,545 56	.....	.....	.....	150,148 86	.....	74,256 35	49,136 90	4,634 71	46,189 54	867,199 18
1859.	61,589 35	.....	542,832 52	.....	129,284 61	.....	59,856 73	33,372 43	3,691 25	18,455 80	258,207 82
1860.	26,308 93	.....	13,547 00	.....	129,340 96	.....	78,949 86	12,261 70	4,488 08	30,041 18	448,325 34
1861.	20,129 95	.....	196,243 56	.....	126,340 96	.....	15,164 32	1,707 64	2,982 93	27,338 17	2,039,603 66
1862.	6,459 82	.....	1,950,000 00	.....	42,510 00	.....	46,413 77	16,261 06	2,609 70	51,277 65	394,055 51
1863.	41,782 77	.....	264,000 00	.....	13,493 33	.....	16,989 48	3,413 06	2,661 77	53,831 21	99,358 52
1864.	31,375 63	.....	17,000 00	.....	5,460 00	.....	17,702 09	18,499 68	2,762 76	129,945 38	264,004 91
1865.	125,056 73	.....	91,000 00	.....	4,095 00	.....	49,062 48	97,346 75	3,278 73	159,027 27	308,715 23
1866.	238,732 82	.....	.....	.....	.....	.....	80,875 68	14,822 51	3,575 53	92,475 42	191,750 14
1867.	93,110 58	.....	.....	.....	.....	.....	67,930 07	15,399 26	3,548 26	70,249 30	157,126 89
1868.	66,772 10	.....	.....	.....	.....	.....	46,210 22	.....	3,332 14	74,260 97	123,803 33
1869.	74,908 54	.....	.....	.....	.....	.....	209,474 21	.....	3,450 94	51,661 95	288,393 37
1869.	100,122 00	.....	10,000 00	.....	.....	.....	.....	13,806 27	.....	.....	.....

1870.	.....	138,990 59	.....	.....	.....	250,494 55	109,239 54	3,932 35	30,446 80	394,112 24
1871.	.....	201,587 93	.....	.....	.....	.....	124,872 44	3,639 20	11,444 58	342,083 93
1872.	.....	190,347 79	.....	.....	.....	.....	23,585 95	3,565 76	26,291 42	229,613 30
1873.	.....	84,691 49	.....	.....	.....	.....	106,887 12	3,613 44	6,836 91	186,295 31
1874.	.....	90,927 30	.....	.....	.....	.....	102,694 12	3,242 75	5,072 89	161,394 40
1875.	.....	87,785 00	.....	.....	.....	.....	93,529 33	2,349 93	1,591 17	125,231 40
1876.	.....	8,595 60	.....	.....	.....	.....	17,647 20	1,341 75	525 04	31,226 03
1877.	.....	50,515 18	.....	.....	.....	.....	68,370 49	1,126 97	1,171 26	74,673 50
1878.	.....	21,144 79	.....	.....	.....	.....	28,974 65	1,000 01	.....	31,099 03
1879.	.....	4,352 32	.....	.....	.....	.....	2,178 00	180 54	.....	6,797 94
1880.	.....	17,347 88	.....	.....	.....	.....	8,994 44	138 90	.....	18,462 17
1881.	.....	3,342 56	.....	.....	.....	.....	3,342 56	.....	.....	3,342 56
1882.	.....	556 47	.....	.....	.....	.....	833 32	.....	.....	787 27
1883.	.....	.....	.....	.....	.....	.....	.....	.....	.....	362 75
1884.	.....	.....	.....	.....	.....	.....	.....	.....	.....	103 03
1885.	.....	.....	.....	.....	.....	.....	.....	.....	.....	497 89
1886.	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
1887.	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
1888.	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
1889.	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
1890.	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
1891.	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
1892.	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
1893.	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
1894.	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
1895.	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Total....	\$122,192 29	\$3,074,587 18	\$3,885,000 00	\$3,755,267 20	\$24,294 48	\$6,738,490 43	\$1,696,115 19	\$100,724 70	\$1,044,269 48	\$17,799,161 48



STATEMENT of the receipts and payments on account of the Oneida Lake canal in each year, up to the 30th of September, 1895, inclusive, viz.:

[illegible]



STATEMENT of receipts and payments on account of the Baldwinsville canal in each year, to September 30, 1895.

YEARS.	RECEIVED.			Deficiencies paid by the Erie and Champlain canals.	PAID.				
	Tolls.	Miscellaneous.	Total.		Surplus tolls to Erie and Champlain canals.	Superintendents.	Collectors.	Miscellaneous.	Total.
1853.....	\$472 06	.....	\$72 06	.....	\$312 60	.....	\$159 46	.....	\$472 06
1854.....	429 86	.....	429 86	\$2,375 22	.....	\$2,372 29	432 79	.....	2,805 08
1855.....	76 01	.....	76 01	2,871 65	.....	2,372 66	375 00	\$200 00	2,947 66
1856.....	73 02	.....	73 02	727 02	.....	422 46	377 58	.....	800 04
1857.....	32 81	.....	32 81	1,486 34	.....	455 43	178 59	885 13	1,519 15
1858.....	14 13	.....	14 13	2,367 49	.....	2,381 62	.....	.....	2,381 62
1859.....	26 03	.....	26 03	387 27	.....	413 30	.....	.....	413 30
1860.....	23 17	.....	23 17	.....	23 17	.....	.....	.....	23 17
1861.....	22 57	.....	22 57	1,047 03	.....	1,069 60	.....	.....	1,069 60
1862.....	31 83	.....	31 83	142 84	.....	174 67	.....	.....	174 67
1863.....	39 17	.....	4,568 31	33 16	.....	72 33	.....	4,529 14	4,601 47
1864.....	28 82	.....	287 22	927 85	.....	631 80	.....	583 27	1,215 07
1865.....	.....	.....	.....	499 00	.....	409 00	.....	.....	499 00
1866.....	.....	10,489 34	10,489 34	2,646 68	.....	12,646 68	.....	489 34	13,136 02
1867.....	.....	.....	.....	86 32	.....	93 32	.....	.....	93 32
1868.....	.....	.....	.....	1,708 00	.....	.....	.....	1,708 00	1,708 00
1869.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
1870.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
1871.....	.....	5,432 70	5,432 70	.....	.....	.....	.....	5,432 70	5,432 70
1872.....	.....	350 00	360 00	.....	.....	.....	.....	350 00	350 00
1873.....	.....	150 00	150 00	.....	.....	.....	.....	150 00	150 00
1874.....	.....	63 78	63 78	.....	.....	.....	.....	63 78	63 78
1875.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
1876.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
1877.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
1878.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
1879.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
1880-1895.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Total.....	\$1,261 48	\$21,281 36	\$22,542 84	\$17,312 87	\$335 77	\$23,605 16	\$1,523 42	\$14,391 36	\$39,855 71
Deficiencies paid by the Erie and Champlain Canals.....									
			17,312 87						
			\$39,855 71						



(No. 56.)

STATEMENT of receipts and payments on account of the Oneida River improvement in each year, up to September 30, 1895, inclusive, viz.:

YEARS.	Loans.	Discount on loans.	RECEIVED.					Total.
			Avails of loans.	From Erie and Champlain canals.	From Sinking Fund.	Tolls.	Miscellaneous.	
1839	\$25,000 00	.....	\$25,000 00	.....	.....	.....	.....	\$25,000 00
1840	.....	.....	.....	.....	.....	.....	.....	.....
1841	25,000 00	\$2,250	22,750 00	.....	.....	.....	\$119 76	22,869 76
1842	9,432 57	.....	9,432 57	.....	.....	.....	.....	9,432 57
1843	1,843 56	.....	1,843 56	.....	.....	.....	.....	1,843 56
1844	8,000 00	.....	8,000 00	.....	.....	.....	.....	8,000 00
1845	.....	.....	.....	.....	.....	.....	.....	.....
1846	.....	.....	.....	.....	.....	.....	.....	.....
1847	.....	.....	.....	\$20,000 00	\$3,670 89	\$118 22	.....	23,789 11
1848	.....	.....	.....	.....	3,670 89	200 50	1,200 00	5,071 39
1849	.....	.....	.....	.....	12,938 39	230 71	1,200 00	14,369 10
1850	.....	.....	.....	.....	3,010 61	5,555 63	.....	8,566 24
1851	.....	.....	.....	.....	3,010 61	18,409 56	.....	21,420 17
1852	.....	.....	.....	.....	3,010 61	24,540 54	.....	27,551 15
1853	.....	.....	.....	.....	3,010 61	31,275 36	.....	34,285 97
1854	.....	.....	.....	.....	3,010 61	31,992 92	.....	35,003 53
1855	.....	.....	.....	.....	3,010 61	24,044 94	1,443 75	28,459 30
1856	.....	.....	.....	.....	3,010 61	29,035 78	.....	32,046 39
1857	.....	.....	.....	.....	3,010 61	15,578 42	.....	18,769 03
1858	.....	.....	.....	.....	3,010 61	3,725 19	.....	6,735 80
1859	.....	.....	.....	.....	3,010 61	2,044 64	.....	5,055 25
1860	.....	.....	.....	.....	4,826 52	1,015 98	.....	5,842 50
1861	.....	.....	.....	.....	51,025 00	919 63	.....	51,944 63
1862	.....	.....	.....	.....	8,266 67	2,311 06	.....	10,577 73
1863	.....	.....	.....	.....	.....	4,399 07	.....	4,399 07
1864	.....	.....	.....	.....	.....	3,572 36	11,021 11	14,593 47
1865	.....	.....	.....	.....	.....	2,489 87	5,041 02	6,530 89
1866	.....	.....	.....	.....	.....	2,688 53	24,801 76	27,490 29
1867	.....	.....	.....	.....	.....	3,186 06	266 11	4,452 17
1868	.....	.....	.....	.....	.....	2,029 85	1,732 57	3,762 42
1869	.....	.....	.....	.....	.....	1,686 46	32,189 79	33,876 25
1870	.....	.....	.....	.....	.....	755 59	17,591 28	18,346 87
1871	.....	.....	.....	.....	.....	724 61	38,992 62	39,117 23

# STATEMENT No. 56 — (Continued)

## ONEIDA RIVER IMPROVEMENT.

YEARS.	Loans.	Discount on loans.	RECEIVED.					Total.
			Avails of loans.	From Erie and Champlain canals.	From Sinking Fund.	Tolls.	Miscellaneous.	
1872 .....	.....	.....	.....	.....	.....	\$650 00	.....	\$650 00
1873 .....	.....	.....	.....	.....	.....	629 17	.....	629 57
1874 .....	.....	.....	.....	.....	.....	476 47	.....	476 47
1875 .....	.....	.....	.....	.....	.....	215 40	\$94 50	309 90
1876 .....	.....	.....	.....	.....	.....	290 36	.....	290 36
1877 .....	.....	.....	.....	.....	.....	525 26	.....	525 26
1878 .....	.....	.....	.....	.....	.....	300 08	.....	300 08
1879 .....	.....	.....	.....	.....	.....	146 85	.....	146 85
1880 .....	.....	.....	.....	.....	.....	269 71	.....	269 72
1881 .....	.....	.....	.....	.....	.....	313 11	141 55	454 66
1882 .....	.....	.....	.....	.....	.....	470 51	.....	470 51
1883 .....	.....	.....	.....	.....	.....	102 53	.....	102 53
1884, 1885, 1886, 1887, 1888, 1889 .....	.....	.....	.....	.....	.....	.....	.....	.....
1890 .....	.....	.....	.....	.....	.....	.....	4,327 82	4,327 82
1891 .....	.....	.....	.....	.....	.....	.....	5,656 17	5,656 17
1892-1895 .....	.....	.....	.....	.....	.....	.....	.....	.....
Total.....	\$69,276 13	\$2,250 00	\$67,026 13	\$20,000 00	\$114,504 46	\$217,061 34	\$145,219 81	\$563,811 74
Deficiencies paid by Erie and Champlain canals .....								
								34,176 62
								\$597,988 36

STATEMENT No. 56—(Continued).  
ONEIDA RIVER IMPROVEMENT.

YEARS.	PAID.						Total.
	Deficiencies paid by Erie and Champlain canals.	Principal of loans.	Surplus tolls to Erie and Champlain canals.	Interest on loans.	Canal commissioners and Superintendent of Public Works.	Superintendents of repairs.	Miscellaneous.
1839	.....	.....	.....	.....	.....	.....	.....
1840	.....	.....	.....	\$1,250 00	\$16,128 94	.....	\$17,412 47
1841	.....	.....	.....	2,365 59	21,690 05	.....	24,077 55
1842	.....	.....	.....	2,691 42	19,308 13	.....	21,991 55
1843	.....	.....	.....	3,204 29	.....	.....	3,204 29
1844	.....	.....	.....	3,378 43	6,094 98	.....	9,473 41
1845	.....	.....	.....	3,588 94	.....	.....	3,588 44
1846	.....	.....	.....	3,681 99	.....	.....	3,681 99
1847	.....	.....	.....	3,670 89	1,179 87	.....	4,968 98
1848	.....	.....	\$118 22	3,670 89	.....	.....	3,871 39
1849	.....	.....	200 50	3,505 82	6,080 00	.....	19,249 10
1850	.....	\$9,432 57	230 71	3,101 61	8,727 37	\$394 67	17,293 61
1851	.....	.....	5,160 96	3,101 61	6,913 07	2,249 61	28,333 24
1852	.....	.....	16,159 95	3,101 61	.....	1,765 37	28,086 96
1853	.....	.....	22,775 17	3,101 61	.....	1,707 40	33,285 97
1854	.....	.....	29,567 96	3,101 61	.....	2,876 47	35,003 53
1855	.....	.....	28,945 55	3,101 61	.....	4,518 79	28,459 30
1856	.....	.....	19,461 72	3,101 61	1,443 75	2,481 73	32,046 39
1857	.....	.....	26,554 05	3,101 61	.....	3,590 51	21,481 49
1858	.....	.....	10,459 40	3,101 61	4,288 42	1,797 27	6,735 80
1859	.....	.....	927 92	3,101 61	.....	1,078 83	5,055 20
1860	.....	1,483 56	840 27	3,101 61	.....	.....	5,842 50
1861	.....	50,000 00	797 06	2,982 96	15,054 30	.....	66,080 35
1862	.....	8,000 00	.....	1,025 00	928 00	447 76	10,577 73
1863	.....	.....	935.30	266 67	.....	.....	4,399 07
1864	.....	.....	4,394 07	.....	.....	.....	14,593 47
1865	.....	.....	3,572 36	.....	10,141 22	.....	7,530 89
1866	.....	.....	1,392 78	.....	4,623 32	1,097 09	27,400 89
1867	.....	.....	2,688 53	.....	24,269 23	.....	3,452 17
1868	.....	.....	3,186 06	.....	.....	.....	3,762 42
1869	.....	.....	2,029 85	.....	940 80	.....	83,876 25
1870	.....	.....	1,686 46	.....	31,659 13	.....	18,346 87
1871	.....	.....	756 59	.....	16,009 87	.....	39,117 23
	.....	.....	725 61	.....	37,299 56	.....	



## STATEMENT No. 56—(Concluded).

## ONEIDA RIVER IMPROVEMENT.

YEARS.	Deficiencies paid by Erie and Champlain canals.	PAID.						Total.
		Principal of loans.	Surplus tolls to Erie and Champlain canals.	Interest on loans.	Canal commissioners and Superintendent of Public Works.	Superintendents of repairs.	Miscellaneous.	
1872 .....	.....	.....	\$650 00	.....	.....	.....	.....	\$650 00
1873 .....	.....	.....	639 57	.....	.....	.....	.....	629 57
1874 .....	.....	.....	476 47	.....	.....	.....	.....	486 47
1875 .....	.....	.....	215 40	.....	.....	.....	.....	309 90
1876 .....	.....	.....	290 36	.....	\$94 50	.....	.....	290 36
1877 .....	.....	.....	525 26	.....	.....	.....	.....	525 26
1878 .....	.....	.....	300 00	.....	.....	.....	.....	300 08
1879 .....	.....	.....	146 85	.....	.....	.....	.....	146 85
1880 .....	.....	.....	269 72	.....	.....	.....	.....	269 72
1881 .....	.....	.....	454 66	.....	.....	.....	.....	444 66
1882 .....	.....	.....	470 51	.....	.....	.....	.....	470 51
1883 .....	.....	.....	102 53	.....	.....	.....	.....	102 53
1884, 1885, 1886, 1887, 1888, 1889 .....	.....	.....	.....	.....	.....	.....	.....	.....
1890 .....	.....	.....	.....	.....	4,216 00	.....	\$111 82	4,327 82
1891 .....	.....	.....	.....	.....	5,040 13	.....	616 04	5,656 17
1892-1895 .....	.....	.....	.....	.....	.....	.....	.....	.....
Total .....	\$34,176 62	\$69,276 13	\$188,096 45	\$65,388 99	\$242,254 01	\$25,005 50	\$7,967 28	\$597,988 36

# REPORT

OF THE

## Commissioners of Code Revision.

Appointed by the Governor under Chapter 1036, Laws 1895.

---

CHARLES Z. LINCOLN, Little Valley, N. Y.,

WILLIAM H. JOHNSON, Oneonta, N. Y.,

A. JUDD NORTHRUP, Syracuse, N. Y.,

*Commissioners.*

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TRANSMITTED TO THE LEGISLATURE JANUARY 30, 1896.

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WYNKOOP HALLENBECK CRAWFORD CO.,

STATE PRINTERS,

ALBANY AND NEW YORK.

1896.





# STATE OF NEW YORK.

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No. 42.

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## IN ASSEMBLY,

JANUARY 30, 1896.

### Report of the Commissioners of Code Revision.

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STATE OF NEW YORK.

ALBANY, *January 29, 1896.*

*To the Legislature :*

In accordance with Chapter 1036 of the Laws of 1895, providing for the appointment by the Governor of three members of the bar of this State, who shall examine the code of procedure of this State and the codes of procedure and practice acts in force in other states and countries, and to report to the next Legislature the result of their investigations, we have the honor to submit the following report.

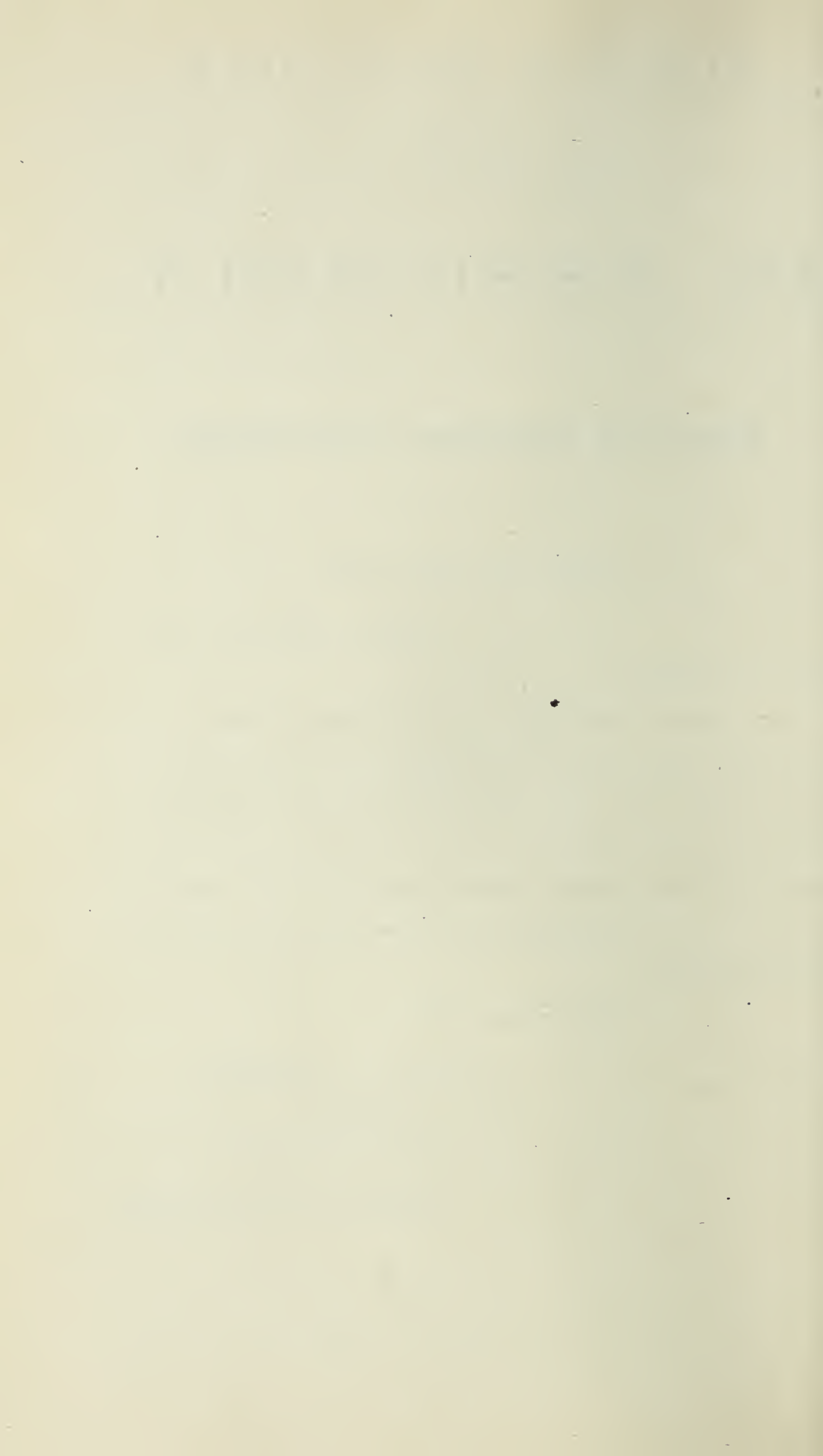
Respectfully yours,

CHARLES Z. LINCOLN,

W. H. JOHNSON,

A. JUDD NORTHRUP,

*Commissioners of Code Revision.*



# REPORT

OF THE

## Commissioners of Code Revision.

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*To the Legislature of the State of New York :*

The Commissioners of Code Revision beg leave to submit their first report.

By Chapter 1036 of the laws of 1895, the Governor was directed to “appoint three members of the bar of this State who shall examine the code of procedure of this State and the codes of procedure and practice acts in force in other states and countries, and the rules of court adopted in connection therewith, and report thereon to the next Legislature in what respects the civil procedure in the courts of this State can be revised, condensed and simplified.”

On the 15th of June, 1895, we were appointed, pursuant to the provisions of this law, commissioners to revise the code of civil procedure, and immediately entered upon the discharge of our duties. We have given the subject of civil procedure and code revision some attention, but have not been able to examine in detail all the provisions relating to practice in force in other states and countries, as required by the act. The comparative examination of the codes and practice acts and rules of court affecting procedure in other states and countries requires more time than was given us by the act under which we were appointed, and it is impracticable, if not impossible, within this time, to submit to the Legislature a proposed draft of a code of civil procedure, if one were to be recommended, or to state with much minuteness “in what respects the civil procedure in the courts of this State can be revised, condensed and simplified.”

To answer this suggested inquiry, much time and careful study will be needed. The civil procedure in the courts of this State is the product of many years of slow and halting growth, and a revision, such as might be justified by the terms of this law, should



be the result of close study of principles and methods, and much deliberation; and a commission should study not only the whole subject of procedure, historically and scientifically, but the comparative merits of different systems which are, or have been, in force in different states and countries. We are unwilling to submit a revision which does not embody substantially the result of such care and study, and hence, at this time, we deem it proper to suggest only general recommendations, with an outline of the changes proposed, together with a brief statement showing the development of civil procedure, and the systems of practice in use in other states and countries. The civil procedure in the courts of this State can, doubtless, be revised, condensed and simplified, and the administration of justice thereby greatly improved.

The members of the bar have such a vital interest in the subject of a revision of civil procedure, as interpreters of the law, "friends of the court," and "ministers of justice," that we felt justified in trying to avail ourselves of their experience, and obtain their opinions, on the subject of revision in general, and also upon particular subjects which might need special attention. We accordingly prepared and sent to nearly ten thousand lawyers, and also to the judges, a circular letter, under date of July 25, 1895, in which, after referring to the statute, we said:

"This appointment involves a possible revision of the code of civil procedure of this State, and also a revision of the practice in all the courts, whether the rules governing such practice are included in the code of civil procedure, or in general and independent statutes. But, before engaging in a general revision of the code, we deem it important to obtain an expression of opinion from the bar of the State, upon the general question of revision; whether such a general revision is desirable at this time, and if so, upon what lines it should be made; and if such a revision is not deemed desirable, then what particular changes should be made in the detail or scheme of the code, in order to make it more practical and less complex in its provisions.

"An examination of this subject involves an inquiry whether

everything relating even remotely to practice should be included in the code of civil procedure, or whether the code should include only those matters which deal directly with procedure in actions, leaving to other and independent statutes subjects like the organization of courts, the functions and fees of various officers of the court, and matters of substantive law. If the code is to include all matters relating to practice either in actions or special proceedings, then, even with its thirty-four hundred sections, it is incomplete, and several subjects now included in other statutes should be added to the code. If, on the other hand, the code of civil procedure should be limited strictly to questions relating to practice in actions, from their commencement until their final determination, without regard to various subordinate and subsidiary matters that arise in the progress of an action, then some subjects that are now in the code should be eliminated therefrom, in the interests of simplicity, and embraced in other statutes.

“It has been suggested that the practice in justices’ courts and in surrogates’ courts does not properly belong in the code of civil procedure; also, that the detailed rules of evidence in our present code more properly belong elsewhere; that the various provisions of a local character should be taken from the code and included in the charters of the municipal corporations to which they relate; that the subject of the organization and jurisdiction of the various courts, and the election and appointment of various officers of the courts, is no part of a proper system of procedure. It has also been suggested that the code of practice should be confined to the rules regulating proceedings in actions generally in courts of record, and that actions of a special character, and special proceedings, should be treated in an independent code.

“If these suggestions should be adopted, it would involve the separation of several subjects and sections from the present code, and their incorporation in other statutes, but it need not necessarily involve a revision or change in the phraseology of various sections; it would require a rearrangement of the law, without changing its language. We are not unmindful of the uncertainty,



if not positive mischief, produced by frequent changes in the phraseology of a statute, especially where it has received judicial construction; and the language of a statute which has become familiar to the practitioner should be retained, unless a change will tend to make the law more clear.

“In connection with our work as Commissioners of Statutory Revision we have found numerous instances of omissions either in general statutes, or in the code of civil procedure, and several subjects of general or minor importance are included in other statutes, which, possibly, ought to be incorporated in the code; and in formulating plans for the general revision of the statutes, in connection with possible code revision, it seems to us that the subject should be considered as a whole, and that code revision should be considered in connection with its bearing upon general statutory revision, and *vice versa*. Our statute law is now too fragmentary, and we think that an attempt should be made to produce a harmonious system upon lines which may be considered feasible and practicable, but we are unwilling to engage in a general revision of the code, without first attempting to ascertain the opinion of the bar upon the subject. The determination of this question of a revision of the code will have an important bearing upon our work of general statutory revision.”

The responses to this circular show a very decided preponderance of opinion in favor of a general revision of the code.

### THE DEVELOPMENT OF CIVIL PROCEDURE.

The methods of judicial procedure used in settling private controversies, and which seem so familiar to us, are not the spontaneous invention of any person, nation or period. They have in large part come down to us from former generations, representing and illustrating the customs and manners of people widely separated in history, in experience and in civilization; and it seems to us that in discussing the possibilities of a revision of the civil procedure of this State, itself an empire, a brief historical state-



ment of the growth and development of procedure in the tribunals of various nations, may not be without interest, and may aid in comprehending the great principles which underlie every well-constructed system of procedure.

“The history of law is a history of civilization.” Legislation is a mirror of the manners of the people, and by means of it, and of judicial practice and customs, the social, commercial and political development of communities may be traced with reasonable precision. Mr. Tidd, in his great work on English practice, says: “The practice of the court, by which the proceedings in an action are governed, is founded on ancient and immemorial usage (which may not improperly be termed the common law of practice), regulated from time to time by rules, orders, statutes and judicial decisions. Practice is the law of the court, and as such is a part of the law of the land. As questions arise respecting the regularity of the proceedings, the courts are called upon to settle by judicial decisions the course of their own practice, or to fix the construction of the rules or statutes which have been made respecting it.”

Modern law is so largely of a prescriptive character, that it is difficult to understand it without examining the sources of law; but these sources are singularly obscure, and history affords only meagre materials, prior to the period of written law, for the determination of the character of judicial procedure. The legal customs which existed anterior to the period of written law, or written history, can only be conjectured by the earliest laws, which may be considered as reflecting and embodying the existing customs. The Hindoo Manu, Confucius, Lycurgus, Solon, and probably the Roman Decemvirs and King Alfred, were not especially legislators, and their work in law reform can hardly be dignified by the term of statutory enactment; but they performed the important service of collecting, compiling, adapting and promulgating customs recognized by the people; and they performed another important service of substituting written laws for loose, oral tradition, and the communication of a permanent public sanction to regulations previously

accepted only as heavenly mandates or inveterate habits. "The change marks a phase when old simplicity and innovating necessities are beginning to combine their action, and to crystallize into fixed shapes, leaving to a much later period the conversion of the remaining and ever-fluctuating mass into similar definiteness." Judging from our own experience, we may fairly conclude that a law at any given period in history reflects in some measure, if not entirely, the customs of the people upon the subject embraced in the legislation. The earliest known laws seem clearly to embody existing customs, and cannot be considered as statements of new principles or policies then for the first time promulgated. History is especially meagre concerning the everyday affairs of life, and the various social and business problems which make for the happiness or prosperity of the people.

"History illustrates the fortunes of the great," but the annals of the common people are often unwritten. Battles and sieges, conquests and changes of dynasty attract and engross the attention of the historian, while the manners and customs and the daily life of the people seem to be overlooked. In our study of the development of procedure, the information afforded us by the ordinary historical works has been very unsatisfactory, and we have often been obliged to resort to original sources for material upon which to form our judgment of the reason and course of judicial procedure. We have been so long familiar with written law, that it is difficult for us to comprehend a state of society in which law and judicial decision were the expression of the wisdom, or perhaps the caprice, of the ruler or magistrate, who sometimes decided controversies without regard to settled principles of law, and untrammelled by precedents.

In studying early procedure, we can only conjecture what it probably was by what we find written in the earliest laws or codes. From this it is quite apparent that in the early stages of society the State, as we now understand it, was only an umpire, or magistrates were a council of umpires, who only interested themselves to see fair play and to settle a controversy, sometimes of a physi-



cal character, after it had actually begun. In this stage men took the law into their own hands, and sought redress for their grievances in their own way, and the most the State could do, from its imperfect conception of its powers, was to regulate and control this attempted private settlement of grievances. The State did not exert its judicial power to aid in commencing a suit, but undertook to regulate and control one already begun. It did not assume at first active jurisdiction, but "in later periods of development the tribunals took the lands or case of the defendant into their own hands, using their power freely to coerce him into submission, and when finally the courts assumed control of judicial proceedings, and required all litigants to submit their controversies to the arbitrament of the court, there was a change from contention in arms to a contention in a judicial tribunal."

It seems quite clear that the earliest method of disposing of controversies was by arbitration. This form of judicial procedure was afterwards made compulsory, and even in the early colonial days in our own State arbitration as a method of settling disputes was imposed upon the colony by law; and from an examination of the forms of procedure in various nations of antiquity, it would seem that the judges were simply arbitrators; and the earliest written law indicates that civil jurisdiction sprang out of arbitration. As Mr. Hunter says in his work on Roman Law, "the coercive authority of the State grew out of the voluntary submission of its subjects, and is the keynote to the history of civil procedure in Rome." Early judicial decisions probably did no more than declare the right between contending parties, and the tribunals did not seem to possess any machinery for enforcing obedience to their judgments or decrees.

In studying the development of judicial procedure among the ancient nations, we observe considerable similarity in matters of detail, but quite marked differences in the structure of tribunals, and in the methods of administering justice. It was a striking characteristic of the northern nations of Europe that the administration of justice was of a popular character, and was devolved



upon the order of freemen. The people either composed or were largely represented in the judicial tribunals; while under the Romans, and among the Asiatic nations whose governments were of a patriarchal or despotic character, popular representation in the administration of justice was practically unknown. The king himself was supposed to be the fountain and source of all wisdom and justice, and he either disposed of legal controversies in person, or delegated his authority to individual judges or magistrates, and defined their powers and jurisdiction. From these so-called barbarian or Gothic nations came the popular administration of justice, which long ago developed into the trial by jury; but this tribunal of the people was at first quite different from its modern successor.

The early Greeks undertook to popularize the administration of justice by the creation of an unwieldy tribunal called a "dicastery," and in later times the Saxon county court brought in the neighbors or freemen of the county and disposed of controversies in a rude and somewhat turbulent manner. From all these methods, whether the tribunal was composed of an individual, or a limited number of persons, or of the general popular assemblies of Saxons or Greeks, or the Roman prætor or judex, we have derived, by slow and gradual growth and combination, the system of procedure which seems to us, in the main, so simple and efficacious.

While we are unable to state with accuracy, in all cases, the special methods of procedure, we have been able to glean sufficient information to enable us to give a fairly clear view of the structure of tribunals and the methods of procedure among the most important of the early nations; and it will appear from this sketch that many of the customs with which we are familiar are very old, and have been observed thousands of years.

Rollin says that the Egyptians were the first people to rightly understand the rules of government. Early Egyptian history shows the creation of a judicial tribunal composed of thirty judges, selected out of the principal cities, to form a body or assembly for

judging the whole kingdom. The scrupulous care manifested by the ancient Egyptians in the administration of justice is shown by a peculiar provision which required all proceedings to be in writing, because it was thought that the judgments of men might be affected by the eloquence of advocates, which would be less influential if everything were reduced to writing.

Among the Hebrews judicial procedure was characterized by great simplicity and promptitude. In early times the patriarch of each family was its judge. Afterwards the elders of a family, tribe or city were its judges by natural right. In the wilderness Moses at first was sole judge and heard all causes, both great and small, but the immense labor thus imposed upon him prompted Jethro, his father-in-law, to suggest the appointment of judges to dispose of small matters, leaving larger controversies to be decided by Moses himself. These judges were to be "able men, such as fear God; men of truth, hating covetousness," and their jurisdiction was divided and distributed so that they became the "rulers of thousands, of hundreds, of fifties and of tens;" these numbers representing families, so that one judge would be the ruler over ten families, another over fifty, and so on. After the Hebrews were established in Canaan, local magistrates were appointed for every city and village. Samuel held a central court at Ramah, and also went from year to year in circuit to different cities and "judged Israel in all those places." Like the early Romans, the Hebrews had no class corresponding to our lawyers, but the parties appeared before the judge in person with their witnesses, and presented and pleaded their own cause.

The institutes of the Hindu law, or the ordinances of Manu, which were translated by Sir William Jones, comprise a code or system of laws relating to the rights and civil duties of the people, and regulating their public and private conduct. Chapter eight, "On judicature; and on law, private and criminal," contains 420 sections, and includes not only positive law, but rules of procedure. The king was the supreme judge, and he had power to designate subordinate judges and assessors, to compose a tribunal, who heard



and decided controversies. This code contains simple rules regulating the practice in the trial of ordinary actions; the number and competency of witnesses; the sufficiency of evidence; the methods of procedure in court, and the judgment and its enforcement. There seem to have been no lawyers or attorneys, for the code requires the judge to examine the witnesses and the parties. This code seems to contain a written statement of the customary law of the Hindus, and was probably compiled during the ninth century B. C.

The statement of Hindu law in the form of institutes had the usual effect. The attention of the courts was directed to construing and applying the institutes in the administration of justice, and it seems that the decisions of the courts, and probably the opinions of learned men, called upon by the rulers to construe the law, created a new body of law, similar to the constitutions and digests following the Institutes of Justinian, in the later Roman jurisprudence. During the administration of Warren Hastings as Governor General of India, a translation of these digests, decisions and opinions was prepared, and was called the "Gentoo Code." This was prior to the translation of the institutes by Sir William Jones. Afterwards a further digest was prepared under the authority of the English government, compiled from various digests and from commentaries on the institutes of law. From all these sources there grew up a quite complete system of the administration of justice, and the Hindu law books disclose a procedure which greatly resembles that of the present day. The complainant presented his grievance to the tribunal, who heard what he had to say, and if it appeared reasonable, a summons was either delivered to the complainant, or an officer was deputed for the purpose of citing the adverse party. The person summoned was brought into court, and stood beside the complainant before the magistrate. Each party then stated his case, the complainant beginning, and their stories were written down in their presence. As the practice developed, attorneys were allowed. The law of



evidence is quite fully illustrated, and also the method of examining witnesses.

Mr. Finlason, in his introduction to "Reeves' History of English Law," points out that in India from very early times there had existed a system of natural arbitration by the neighbors, which probably formed in that country the first attempt at anything like an administration of justice, and which substantially resembles the old Saxon county court, being assemblies of the principal inhabitants, who took cognizance of the disputes which arose among them, and made the best settlements they could. This was a system suited to an early state of society, and which necessarily precedes a more regular administration of justice. But, as the author further observes, when judges were appointed, however inferior, yet acting in the regular discharge of an official duty, under the authority of government, and under some sense of responsibility, the great superiority of this approach of a regular judicature to a settled system of administration of justice, was so apparent to the people that their ancient native tribunals were soon discarded, and the new order of judges, notwithstanding all their imperfections, were appealed to in preference. There were at first no advocates or solicitors. In ordinary questions, the people generally appealed to the chief of the place, who took upon himself the office of justice of the peace, and accommodated the matter between the parties. When he thought more fit, he sent them before their local magistrates or arbitrators, whom he appointed, and if the litigants refused to abide the result of the arbitration, the magistrates disposed of the matter without appeal.

Among the Greeks the lack of judicial system was very remarkable. While they gave great attention to politics, and political and governmental questions, they seem to have had no well-defined system of law or judicial procedure. All the people composed the court, and every trial was first heard before a popular assembly. Precedents had little weight, and every decision disposed of the law and the facts in the particular case, and each case was

tried strictly upon its own merits, without much regard to former decisions in similar cases.

Sir William Jones, in the "Prefatory Discourse" to his translation of the speeches of Isæus, gives an account of the progress of a law suit among the ancient Greeks. According to this account, when a citizen thought himself wronged, and resolved to seek redress in a court of justice, his first step was to prefer his *plaint*, and to *denounce* the name of his adversary to the sitting magistrate, who examined the complainant, and if he thought the action maintainable, permitted him to summon the defendant to appear at a certain day. Where a more expeditious remedy was required the plaintiff was allowed to attach the person complained against and carry him directly before the court; but in most cases of civil injuries, the first process was by *citation* or *summons*, and officers called *summoners* were constantly at hand.

When both parties were confronted before the magistrate, he proceeded to a strict examination of them, which was called the *interrogation*, and the parties litigant were permitted to interrogate one another, and their answers were set down in writing and might be given in evidence against them at the trial; and if the archon thought it necessary he might adjourn the examination. The archon prescribed the proper form of the action and "*admitted*" the cause into court, after which preliminaries the party complaining put in his declaration or bill, setting forth his cause of action, which, with the answer, were delivered orally before the tribunal, and then reduced to writing. Each party was obliged to deposit a certain sum as a pledge of prosecuting his claim or defense. The limitation of action was, in general, five years.

After the issue was framed, the archon cast lots for the judges or persons who were to decide the questions of fact. This tribunal, called a "dicastery," answering substantially to our modern jury, except as to numbers, was usually composed of 500 men, but sometimes, in very important cases, there were as many as 2,000, and a majority of votes decided the suit. The court was held in

the open air, surrounded with a rope, and attended by officers who kept off the crowd. The archon presided and introduced the cause.

In addressing the court, the plaintiff, or his advocate, began, and the defendant, or his advocate, closed the argument, and there was only one speech for each party or issue. The advocates seem to have had the privilege of "summing up," or making comments upon the evidence during the progress of the trial. At the close of the evidence and the arguments, a vote was taken by casting pellets or beans into an urn, a separate urn being provided for each party or distinct issue, and the presiding archon counted the pellets and announced the result.

Mr. Grote, in his "History of Greece," commenting on the dicasteries, says that, "taking their general working, we shall find that they are nothing but jury-trial applied on a scale broad, systematic, unaided and uncontrolled, beyond all other historical experience, and that they therefore exhibit in exaggerated proportions both the excellences and defects characteristic of the jury-system, as compared with decision by trained and professional judges."

To the genius of Pericles the Greeks owed the great reform in the judicial system which resulted in reducing the power of the magistrates and the organization of the dicastery. Mr. Grote observes that "what Pericles really did, was to sever for the first time from the administrative competence of the magistrates that judicial authority which had originally gone along with it. The great men who had been accustomed to hold these offices were lowered both in influence and authority; while, on the other hand, a new life, habit, and sense of power sprang up among the poorer citizens. A plaintiff having cause of civil action, or an accuser invoking punishment against citizens guilty of injury, either to himself or to the State, had still to address himself to one or other of the archons, but it was only with a view of ultimately arriving before the dicastery, by whom the cause was to be tried."

Professor Holmes, of the University of Virginia, an acute student



and critic of Greek life and manners, writing in an early number of the "Forum" (1875), remarks that "it constituted no part of the mission of Greece to provide a science of jurisprudence. It was its mission to make multitudinous experiments in government for the education of humanity in political organization, and for the discipline of men in the arts of freedom. This is of itself a grand contribution to social progress, and a sufficient service to be rendered by any single race. The energy and enthusiasm with which the Greeks discharged this duty were not the most favorable qualifications for the discovery and establishment of the unswerving principles and precise regulations which law requires. Their types of government and their methods of litigation were equally adverse to the production of such a result. The city was the State. The whole community of fully enfranchised citizens were statesmen. The people in public assemblies constituted an absolutely sovereign body. The whole conduct of litigation, the whole order of public justice among the most litigious of ancient nations displays a perverse indifference to precedent, enactment, and often to right, in their multitudinous and cumbersome dicasteries. Legal customs, legal provisions, and statutory determinations were abundant, but received little respect, and less observance, from the heated declamation of litigation, from the tricky ingenuity of advocates, or from the factious temper of a mob judiciary. Forensic contention at Athens assimilated itself in most respects to a political debate. The appeal was made, not mainly to the law, not very earnestly to the facts, but to the passions, the whims, and the momentary necessities of the judicial crowd. The whole body of citizens formed the court, and it continued to do so in theory, though inconveniences in practice, and a multiplication of business, compelled their later distribution into several dicasteries. The judgments of this body were rendered upon the law and the facts in each case, or, as Sir William Jones observes, 'every case was generally decided by a kind of political law, to which no precedents were applied, and from which no rules were deduced.' "

“The inestimable social service of providing a science of jurisprudence was reserved to be the great labor and the crowning glory of the Romans.” How effectually, how splendidly, how supremely, and with what incessant effort and repeated transformation they accomplished this lofty duty, is apparent from a careful study of the consummate system which we observe in all its grandeur ranging over a thousand years from the Twelve Tables to Justinian.

Sir Henry S. Maine opens his “Ancient Law” with the remark that “the most celebrated system of jurisprudence known to the world begins, as it ends, with a code.” In theory the Roman system descended from the Twelve Tables, and the principles embodied in them were considered the source of all later Roman law. These tables were the most famous specimen of ancient codes, and their promulgation, about 450 B. C., marks an important epoch in the progress of Roman civilization. The principles of substantive law, as well as the rules of practice stated in them, are probably merely the enunciation in words of the existing customs of the Roman people. Those customs, thus crystallized in written law, have, in many instances, been preserved, and we find them, after nearly twenty-four centuries, stated in modern law in almost, if not quite, the identical language used by the early Roman compilers. The Romans steadfastly maintained the integrity of their judicial system, and firmly resisted all attempts to amalgamate with other systems. Their law readily adjusted itself to the internal changes that were constantly at work in Rome. “It was by a judicious mixture of the permanent or conservative, and the progressive reformatory spirit, that she was enabled to establish and frame laws that in time gave her the empire of the world.”

The absolute sovereignty of the State is so clearly recognized and so freely conceded in modern times, that it is difficult for us to comprehend the condition of society in the early Roman period, when even the authority of the State to bring an alleged wrongdoer before its tribunal was denied. Even at the time of



the Twelve Tables the State did not as yet claim to decide civil disputes, and only assumed to furnish arbitrators, to whom controversies might be submitted for decision.

The first three of the Twelve Tables cover the early law of procedure, embracing proceedings preliminary to trial, including the commencement of the action, the trial itself and the execution. These ancient actions were of a rude sort, and were not commenced by the service of a written summons, as in later times; but the complainant summoned the defendant before the magistrate, and if he refused to go, the complainant might take him by force, or "by the neck"; afterwards the complainant summoned the defendant, by touching his ear, before the magistrate who had jurisdiction. The magistrate was a sort of umpire, whose duty it was to see fair play, and the use of force was sanctioned to bring an alleged wrongdoer before the tribunal. Mr. Hunter, in his work on Roman Law, says that "the development of the subject of procedure in Rome marks three distinct stages.

"First, the law of the Twelve Tables. At this time the summons is a private act of the complainant, and disobedience to the summons is not an offense against the law. The whole length that the Twelve Tables go, is to legalize the exercise of force by a complainant to drag an unwilling defendant before the court.

"Second, the Edict of the Prætors. The summons is still the private act of the complainant, but disobedience is made a wrong, and the principle is now established that it is the duty of a citizen to be ready to answer in the courts of justice any complaint brought against him.

"Third, the Imperial Constitutions. The summons is issued on the application of a complainant by officers of a court of justice. This change was also made the means of giving notice to the person sued, of the wrong alleged to be done by him."

The procedure under these three divisions is in many respects very like the procedure of to-day. Many of the forms and methods adapted and instituted by Justinian are still preserved in our practice. •



The early mode of summons "continued down to the golden age of literature, and the classical age of jurisprudence." If he were able, the defendant could resist arrest without exposing himself to any danger of punishment, and the complainant could not use force to take him before the magistrate, unless his refusal to go was in the presence of witnesses. The prætor changed this rule by making it an offense for a person duly summoned to refuse to obey, and a plea to the jurisdiction of the court could be listened to only before the court itself.

It seems that even in this primitive period the defendant sometimes kept out of the way to avoid a summons, and the Twelve Tables provided no remedy for such a case. This was, doubtless, due to the peculiar attitude of the law, which recognized no litigants until they were actually in court, and invoked the interference of the magistrate. Another reason why a complainant had no remedy against the defendant who kept himself concealed, probably was that the early Roman law did not assume to seize the defendant's property, but only to punish him personally. The prætor introduced execution against property, and inserted in his edict a notice to the effect that if a defendant concealed himself to evade the summons, he would order his goods to be seized and sold. The next step was a public summons, which, in the reign of Justinian, became an act of public authority, and gave the defendant formal notice of the claim made against him.

By the Twelve Tables a judgment debtor was given thirty days to pay the judgment, and after that time he could be arrested and taken before the magistrate; and, upon failure to pay the debt, could be kept in bond sixty days. After a certain period a judgment debtor might be sold beyond the Tiber, or punished with death, and his creditors were permitted to cut out their several portions of his body. From this method of collecting judgments by execution against the person, there was a natural transition to execution by the sale of the "universal succession" of a debtor, and last of all by the sale of particular pieces of property. When the Romans finally resorted to the property of the judgment debtor

for the collection of the judgment, the practice was instituted, which has come down to our day, of taking first the personal property before resorting to the land, and the sale was conducted by officers of the court.

Another peculiarity of the early Roman procedure was that it required the actual presence of the parties. No attorney or agent was admitted, and only a Roman citizen could take part in actions. Aliens dwelling in Rome were wholly shut off. The length of time given to the defendant to answer a summons was at first five days, afterwards ten days, and it was finally established by Justinian at twenty days, which is the present rule in our courts of record.

The early Roman law contained no provision for costs ; in the "*sacramentum*" each party deposited a "stake," which went, however, not to the winner, but to the State, to pay the expenses of the court, and it was only by a very slow development that the Romans arrived at a system which recognized the principle so familiar to us, that a person who makes an unjust claim, or resists a just claim, is regarded as inflicting a distinct wrong, and is bound to make compensation, the measure of which is well described by the term "costs." In A. D. 530, Justinian enacted that the defeated litigant should pay costs to the victor, according to established allowance, and if the judges neglected to impose costs they could be compelled to pay the costs themselves.

In the early days the Roman magistrates were independent of each other, representing theoretically the sovereign power of the people ; consequently there were no appeals from their judgments ; but as the system developed, an appellate tribunal was provided, and appeals were allowed. Costs on appeal were in the discretion of the court.

So much of the later Roman law has become a part of modern systems of jurisprudence, and is therefore so familiar to the modern lawyer, that it is unnecessary at this time to discuss other important features, such as evidence, equity, special proceedings, real and personal actions, and damages. The purpose of this sketch is to show the pioneer conditions of procedure, rather than



law in its maturer form ; and it is important to remember that the Twelve Tables did not contain all the law, but that there was a body of customary law, in part unwritten, which was not abrogated, but was evaded or amplified by persons acting under the ideas of later times ; “ using, however, the Twelve Tables as a firm foundation for the structure of private law.” In the great development of Roman law, from the Twelve Tables to the Institutes of Justinian (A. D. 533), there was a remarkable change in arrangement and classification. In the Twelve Tables procedure stands first, while in the Institutes it comes last. Substantive law takes precedence in the later classification, and the principle is recognized that procedure is only a means to an end. It is also worth while to remember that the Romans understood and applied the essential features of jury trial. There were “ judges of the law ” and also “ judges of the facts,” who answered to our jurors, and it was a fundamental principle of Roman law that no citizen could be condemned except upon the judgment of his fellow citizens, or his “ peers.”

Trial by jury is not an institution of exclusively English origin. The essential principle of the jury, which involves the selection of judges unknown beforehand, from a particular body, with the power of deciding within certain limitations, and under the direction of certain rules, on questions of fact, is to be found in the institutions of many other countries already noted. It was a peculiar characteristic of the laws of the northern barbarians, and was the cornerstone of the Athenian constitution, whence it was probably borrowed by the Romans ; and during the middle and later period of Roman law, the suitor was entitled to submit his cause to judges of the facts, drawn by lot from annual lists prepared for that purpose. The functions of the magistrate and of the *judex* were kept almost entirely apart. For many centuries the Senators alone were judges, but afterwards this power was transferred to the Knights. After a series of contests the right was shared by the two orders, and extended to persons even of inferior rank ; so that the 300 of the Senatorial times had become



4,000 by the time of Augustus. Although several centuries later, this body quite strongly resembled the Greek dicastery, for which a list of 5,000 names was prepared, divided into ten sections. Cases involving the rights of foreigners were at first determined by a tribunal, composed of three or more persons, called "*recuperatores*," acting as jurors, which at a later period had jurisdiction in cases between citizens.

We possess very little reliable knowledge of the laws and customs of the ancient Britons. The conquest of Britain by the Romans about 55 B. C., and their occupancy for five centuries, necessarily impressed the Roman system upon the early institutions of that country, notwithstanding the general rule of Roman policy to leave the legal systems of conquered nations undisturbed so far as practicable—imposing only such part of Roman law as the exigencies of government might seem to demand—but the presence of a superior civilization in early Britain could hardly fail to have its effect in modifying legal institutions. This effect was not wholly destroyed by the later Danish and Saxon invasions. Traditional laws naturally suffer insensible variations in practice, so that while it is easy to discover the differences between an ancient and a modern usage, it is impossible, as Sir William Blackstone points out, to define the precise time at which the alteration accrued before the period of written law.

The great tribunal among the Saxons for civil business was the county court, held once every four weeks. Here the sheriff presided, but the suitors of the court, as they were called, that is, freemen or landowners of the county, were the judges, and the sheriff was to execute the judgment, assisted, if need be, by the bishop. "In this county court the people formed a sort of tribunal composed of the neighbors, who heard the testimony of the witnesses and settled the disputes among themselves by discussion, or perhaps by acclamation, somewhat like the Athenian dicasteries, without any form of regular justice or the rules of a legal tribunal. It was a mere rough arbitration by the neighbors, and gradually gave place to a more orderly system." The Saxons

introduced into early English institutions a spirit of freedom and equity that has never wholly departed from them. We derived from these barbarians a spirit of freedom, infusing life and vigor and energy into all their institutions, and their broad principles of popular government and especially their popular courts, cultivated a spirit of freedom which was the foundation of our modern institutions. As originally organized, the only jurisdiction the king had in the county court was to issue a writ, requiring the sheriff to hear the case; and the king took no other part in the administration of the law. The first step in improvement was the appointment by the Crown of a special justiciary to hold the county court. By a later development all judicial proceedings were commenced by the "King's writ." This grew out of the idea that the king was the source and fountain of justice, and was perhaps a direct result of the feudal system, by which the king was recognized as the paramount lord, and he had sole authority to appoint judges, who acted in his place in the administration of justice. Out of this practice, and from this theory, developed the notion of sovereign or superior tribunals, to which appeals could be brought from inferior courts.

An examination of the English system of trial by jury shows that jurors were at first witnesses, and that the development of the system to its present condition was very slow. No one was competent to sit as a juror, unless he had some knowledge of the facts, and if upon being summoned the jurors made oath that they had no such knowledge, they were rejected and others were summoned in their places; and it took centuries to develop the idea of trying questions of fact before a jury upon evidence, and before men who knew nothing of the facts, but decided the controversy upon the testimony of witnesses; and yet trial by jury involves the essential duty of "deciding upon contradictory testimony and discriminating the balance of credibility." The old practice of arbitration, originating with the Saxon county court, was still retained, even after trial by jury was well established. The old rule of trying cases before a jury "from the vicinage,"



has come down to us, and is so firmly established that it is not likely to be soon disturbed, for it is based upon the familiar principle that the matter in dispute should be tried where it arose, by neighbors of the parties, with such knowledge of them and of the subject matter as might either assist them in forming a correct judgment, or serve to test the credibility of the witnesses brought before them.

The popular character of the administration of justice among the Goths was particularly noticeable in the early Swedish tribunals. The defendant had five days from the summons to the trial, and on the fifth day the complainant and defendant met at the village assembly, which was held in the open air, and before the trial commenced each party "abjured all falsehood and deceit." Afterwards this simple system gave way to a more regular and technical form, and the country was divided into districts, in each of which was appointed a "law-man" and a jury of twelve men.

The early Irish or Brehon law illustrates the weakness of the State, and the imperfect conception of its authority in matters of private litigation, already noted. The complainant seized the property of the defendant by a violent "distress," and the judicial power was exercised to compel the defendant to give satisfaction to the complainant as a condition of receiving the aid of the court in restoring his property. The aid of the court was invoked, not to begin the litigation, but to settle a quarrel already going on.

We also find here a custom, which was still more firmly established among the Hindus, of invoking the aid of religion to compel debtors to discharge their obligations. This was only another form of "Distress."

Many codes were adopted during the Middle Ages, several of which were based upon Roman law, modified by local customs; but judicial procedure had become tolerably well-settled, and the history of its development during this period is not within the province of this sketch; but we cannot fail to observe that the administrative tribunals of the European barbarians were popular, as distinguished from the early Roman system, in which the mag-



istrate was the sole dispenser of justice. In these popular forms, founded not upon law, but upon custom anterior to the date of law, consisted the proverbial freedom of the Gothic people, which we have received as an Anglo-Saxon inheritance.

Mr. Smith, in his essay on the "Assize of Jerusalem," says that it was the most important code of the Middle Ages; and that it was a body of laws composed for the use of a new kingdom destitute of customary and traditional authority, full, minute and complete, defining every franchise and establishing by special enactment the nature and jurisdiction of the courts. He points out that it was partly borrowed from Rome, partly founded on prescriptive society, and embodied in large part the customs of France. It exhibits the manner in which the personal laws introduced by Gothic conquests have become amalgamated with the civil law, and shows the gradual assimilation of public law in France to the principles of Roman jurisprudence. It was compiled by Godfrey of Bouillon, first King of Jerusalem, after its conquest by the Crusaders, at the beginning of the twelfth century. It embraced a complete scheme for the administration of justice, with judges and a jury composed of twelve men, substantially on the English model.

Arbitration in some form seems to have been the earliest method of settling disputes, and was probably the basis of actual judicial procedure. Later, litigants attempted to settle controversies in their own way, and the State only interfered to keep the peace. By a still later development the State assumed jurisdiction at the outset of a controversy, by requiring its permission to begin a suit, and there is a striking similarity in the practice in this respect in different nations widely separated, as the Swedish Goths, the Greeks and the Hindus. In all those widely distant nations, almost at the dawn of judicial history, the complainant was required to obtain the permission of the tribunal, by a sort of *ex parte* motion, for leave to begin a suit, and he was obliged to satisfy the magistrate that he had a just cause of action before the defendant could be summoned or brought into court.

“The King’s writ,” or the summons under the seal of the court in modern practice, is simply a modification of this early custom. By the law of the Twelve Tables, the plaintiff himself summoned the defendant, without invoking the aid or permission of the court, and we shall find, upon an examination of the New York procedure, that our present method of commencing actions in courts of record is based upon the early Roman custom.

### PRACTICE IN OTHER STATES.

We are commanded by the act authorizing our appointment to examine the code of procedure of this State, and also the codes and practice acts of other States and countries. A comparative study of procedure in other States would, doubtless, be profitable in attempting to revise or re-construct the civil procedure of this State, and we shall try to make such an examination as the law requires before submitting a scheme of revision. But the early date at which this report is required prevents any extended study of other systems of procedure. We deem it proper, however, to submit at this time a statement showing briefly which States have codes of procedure, and in which of them procedure is governed by general practice acts, rules of the courts, or the common law. The following table shows the broad field spread out before us by the statute, and which we are directed to explore:

**Alabama** has no separate code of civil procedure. Part 3 of the Code of Alabama, entitled “Proceedings in civil actions,” containing 1,125 sections, constitutes a complete scheme of civil procedure, beginning with actions and parties, and ending with appeals and fees.

**Arizona** has no separate code of civil procedure. The titles of the Revised Statutes are arranged alphabetically, and many of them relate to civil procedure.

**Arkansas.**—Chapter 119 of the Revised Statutes (1884), entitled “Pleadings and Practice,” contains 407 sections, and is in the nature of a code of civil procedure. The chapters of the statutes, however, are arranged alphabetically, and many other chapters relate to civil procedure.

**California** has a code of civil procedure, containing 2,104 sections. This State has adopted the entire Code system, including a civil code, a code of civil procedure, a penal code, a code of criminal procedure, and a political code.

**Colorado** has a code of civil procedure containing 445 sections.

**Connecticut** has no separate code of civil procedure. The practice act (L. 1879, ch. 83) is the basis of the civil procedure. Many chapters of the Revised Statutes, however, relate to matters generally included in a code of civil procedure, including service of process, place of trial, parties and appearances, pleadings and set-off, practice, evidence, trials, costs, new trials, appeals, and executions.

**Delaware** has no separate code of civil procedure. Title 16 of the Revised Laws is entitled “Of Civil Actions in General,” but it is merely a compilation of various laws relating to the subject. The practice in the State, except as modified by statute or rule of court, is under the common law. The superior court is empowered by rules to make alterations in the manner of pleading, of entering and transcribing pleadings, judgments, and other proceedings in actions at law, and in relation to the payment of costs.

**Florida** has no separate code of civil procedure. The second part of the Revised Statutes (1892), entitled “Of Civil Courts, their organization and proceedings therein,” containing 340 sections, is practically a code of civil procedure.



**Georgia** has no separate code of civil procedure. Part 3 of the Code of Georgia (1882), entitled "The Code of Practice," containing 310 sections, is practically a complete code of civil procedure.

**Idaho** has no separate code of civil procedure. Part 3 of the Revised Statutes (1887), entitled "Code of Civil Procedure," with 2,350 sections, embraces a practically complete scheme of civil procedure.

**Illinois** has no separate code of civil procedure. Chapter 110 of the Revised Statutes (1885), is entitled "Practice," but cannot be considered a complete code of civil procedure, as it is only a compilation of various statutes, modifying or superseding the common law practice, which otherwise prevails.

**Indiana** has no separate code of civil procedure. Chapters 2 and 3 of the Revised Statutes (1894), entitled "Civil Procedure" and "Courts," containing 1,392 sections, constitute a complete code of civil procedure. The Appellate and Supreme Courts are empowered to make rules in relation to proceedings where not specially provided for by law.

**Iowa** has no separate code of civil procedure. Part 3 of the Annotated Code (1888), entitled "Code of Civil Practice," containing 1,415 sections, is practically a complete code of civil procedure. The judges of the District Court are empowered to adopt rules as to filings of pleadings or motions, other than as provided by the code, and generally to adopt such rules as they may deem expedient, not inconsistent with the code.

**Kansas** has a code of civil procedure (L. 1863, ch. 80), consisting of 732 sections. This code is also the code of Oklahoma.

**Kentucky.**—The Civil Code contains 767 sections, and covers civil procedure. The Court of Appeals is empowered to make rules in relation to arguments, etc., before it.

**Louisiana** has a code of practice, containing 1,161 sections, and it is a complete scheme of civil procedure. The code of practice was originally enacted in 1825. The State of Louisiana has also a civil code, being a compilation of the substantive civil law.

**Maine** has no separate code of civil procedure. Practice, except as modified by statute, is under the common law. Various parts of the Revised Statutes (1883), however, relate to matters generally included in a code of civil procedure; such as commencement of civil actions, attachments, arrest, the limitation of personal actions, proceedings in courts, executions and bail.

**Maryland** has no separate code of civil procedure. The practice in the State, except as modified by statute, is under the common law. Various articles of the Public General Laws (1888), relate to matters usually included in a code of civil procedure, such as "pleadings, practice, and process at law"; "Appeals," "Attachments," etc., arranged alphabetically.

**Massachusetts** has no separate code of civil procedure. Part 3 of the Public Statutes (1882), is entitled "Of Courts and judicial officers and proceedings in civil actions," and is practically a complete scheme of civil procedure. The Revised Statutes enacted that "the courts shall respectively, from time to time, make and promulgate uniform codes of rules, for regulating the practice and conducting the business of such courts in cases not expressly provided for by law."

**Michigan** has no separate code of civil procedure. The Annotated Statutes (1882), Titles 29 to 38 inclusive, containing 2,685 sections, practically constitutes a code of civil procedure. The judges of the Supreme Court are empowered to modify and amend the practice in cases not provided for by statute.

**Minnesota** has no separate code of civil procedure; but the General Statutes (1891), chapters 61 to 85, include practically all

the subjects ordinarily embraced in a code of civil procedure, and contain 1,595 sections. Chapter 85 is entitled "The Probate Code," and was enacted in 1889. The judges of the district courts and the Courts of Common Pleas are empowered to adopt uniform rules of practice in civil actions, not inconsistent with law.

**Mississippi** has no separate code of civil procedure. The chapters of the Annotated Code are arranged alphabetically, and many of them relate to matters generally embraced in a code of civil procedure. The Supreme Court may establish rules in relation to practice, not inconsistent with law.

**Missouri** has no separate code of civil procedure, but chapter 33 of the Revised Statutes (1889), is entitled "Code of Civil Procedure," and contains 311 sections.

**Montana** has a code of civil procedure, consisting of 3,484 sections, which was adopted February 14, 1895. Montana has also adopted a political code, a civil code, and a penal code, all of which were adopted in February, 1895. The criminal procedure constitutes Part 2 of the penal code. These codes are substantially the same as the codes of California.

**Nebraska.**—Part 3 of the Consolidated Statutes (1891) is entitled "The Codes of Civil and Criminal Procedure." The code of civil procedure contains 1,039 sections. The supreme court is empowered to make rules not inconsistent with the provisions of the code.

**Nevada** has no separate code of civil procedure. Chapter 20 of the General Statutes (1885), being the General Practice Act of 1869, containing 970 sections, is a complete scheme of civil procedure. The supreme court is empowered to adopt rules of practice not inconsistent with law.

**New Hampshire** has no separate code of civil procedure. Several chapters of the Public Statutes (1891) relate to civil proce-



dures, such as "of actions, process, service of process," "of proceedings in courts," etc. The common law practice is in vogue except as modified by statute. The supreme court is empowered by statute to establish rules of practice not inconsistent with law; and the practice is largely governed by the rules of the supreme court. (Published in 56 New Hampshire Reports.)

**New Jersey** has no separate code of civil procedure. The Revised Statutes of New Jersey (1887) contain many provisions in relation to practice, but, except as modified by statute, the common law practice prevails.

**New Mexico** has no separate code of civil procedure. The compiled laws (1884), title 33, entitled "Civil Procedure," contains 624 sections, but it is not a complete scheme of civil procedure, the first section providing that the common law shall be the rule of practice and decision.

**New York** has a code of civil procedure.

**North Carolina** has a code of civil procedure constituting chapter 10 of the Code of 1883. It is a complete code of civil practice, containing 505 sections. The supreme court is empowered to adopt rules of practice not inconsistent with law. The practice is largely governed by the rules of the supreme and superior courts.

**North Dakota**, in 1895, adopted a complete code system, consisting of a political code, civil code, code of civil procedure, probate code, justices' code, penal code, and code of criminal procedure.

**Ohio** has a code of civil procedure, constituting a chapter of the Revised Statutes, and containing 1,746 sections. The probate practice is not contained in the code. The supreme court is empowered to make rules not inconsistent with law.

**Oklahoma Territory** adopted the Kansas code in its entirety August 14, 1893.

**Oregon** has no separate code of civil procedure, but the acts relating to practice have been arranged as a code in the publication of the Annotated Laws (1887), and constitute a complete scheme of civil procedure, in 1,199 sections.

**Pennsylvania** has no separate code of civil procedure. The common law generally prevails, and has been modified by statute perhaps as little as in any State of the Union. Many acts, however, relate to matters usually embraced in a code.

**Rhode Island** has no separate code of civil procedure. The Judiciary Act of 1893 regulates the practice in the courts to a great extent, but is not a complete scheme of civil procedure. The common law practice still prevails, except as modified by statute.

**South Carolina** has a code of civil procedure, containing 453 sections. The justices of the supreme court are empowered to make rules of practice not inconsistent with the code of procedure.

**South Dakota.**—The code of civil procedure of the territory of Dakota became the law of South Dakota upon its admission as a State. This code contains 1,598 sections. It is distinct from the probate and justices' codes, which, together, contain 438 sections.

**Tennessee** has no separate code of civil procedure. Part 3 of the Code of Tennessee (1894) is entitled "The Redress of Civil Injuries," containing 1,998 sections, and is a complete scheme of civil procedure, with the exception of probate practice, which is contained in another chapter of the code.

**Texas** has no separate code of civil procedure. The chapters of the Revised Statutes (1887) are arranged alphabetically and many of them relate to civil procedure. The supreme court is

empowered to make rules of practice for the government of itself and other courts of the State.

**Utah.**—Part 10 of the Compiled Laws (1888) is “The Code of Civil Procedure.” Part 11 of the Compiled Laws relates to procedure in probate courts. The two parts together contain 1,380 sections.

**Vermont** has no separate code of civil procedure. Part 1 of title 11 of the Revised Laws (1888) is entitled “Courts and Judicial Proceedings,” and contains 918 sections. Many other chapters of the Revised Laws also relate to matters of practice usually included in a code. The supreme court is authorized to make necessary rules of practice in such court.

**Virginia** has no separate code of civil procedure. Title 48 of the Code of Virginia (1887) is entitled “Proceedings in Civil Actions,” and contains 290 sections. Many other titles of the code, however, relate to matters usually included in a code of civil procedure. The practice is under the common law, except as modified by statute.

**Washington** has a code of procedure consisting of 1,712 sections. It includes criminal as well as civil procedure. The criminal procedure is included in 208 sections. The supreme court is authorized to adopt rules of practice not inconsistent with law.

**West Virginia** has no separate code of civil procedure. The code of West Virginia (1891) contains many chapters relating to procedure in the courts, but except as modified by statute, the common law practice prevails.

**Wisconsin** has no separate code of civil procedure. Part 3 of the Annotated Statutes (1891) is entitled “Courts and Judicial Officers and Actions and Proceedings in Civil Matters,” and contains 1,942 sections. It is practically a complete scheme of civil procedure. The supreme court is empowered to make rules of



practice in the supreme court, the surrogate courts, county courts, and other courts of inferior jurisdiction.

**Wyoming.**—Title 38 of the Revised Statutes (1887) is entitled “Civil Procedure.” It contains 813 sections and is practically a complete code of civil procedure, with the exception of the practice of the probate courts, which constitutes title 37 of the Revised Statutes, and contains 367 sections.

**The District of Columbia** has no separate code of civil procedure. The practice in the District is largely under the common law. Both the courts of law and equity are empowered to adopt rules of practice, and the proceedings are largely governed by the rules so adopted. Chapter 55 of the Compiled Laws of 1894, entitled “Pleading and Practice,” contains 80 sections relating to this subject.

**United States.**—Chapter 18 of title 13 of the Revised Statutes relates to civil and criminal procedure and contains 132 sections, of which 98 concern civil procedure. By section 914, it is provided that “the practice, pleadings and forms and modes of proceeding in civil causes, other than equity and admiralty causes, in the circuit and districts courts, shall conform, as near as may be to the practice, pleadings, and modes of proceedings existing at the time in like causes in the courts of record of the State within which such circuit or district courts are held, any rule of court to the contrary notwithstanding.”

All writs and processes issuing from the federal courts must be under the seal of the court from which they issue and must be signed by the clerk, and if issued from the Supreme Court or a circuit court bear teste of the chief justice, or if from a district court, of the judge thereof.

The Supreme Court, by section 917, is given power to regulate the practice of circuit and districts courts in suits in equity or admiralty. By section 918, the several circuit and district

courts are authorized to make rules regulating their own practice, if not inconsistent with any law of the United States, or any rule prescribed by the Supreme Court. Section 914, adopting the practice of the several States, should be construed in connection with this section.

### PROCEDURE IN OTHER COUNTRIES.

We have not had access to the laws of all nations, and are unable to give, at this time, a complete statement relative to the procedure in foreign countries; but from the various sources of information at present available, we have prepared the following partial synopsis. Before submitting a proposed revision, we shall endeavor to complete our examination of this subject.

**Belgium** has a code of civil procedure.

**British Columbia.**—The “Local Administration of Justice Act,” 1881, contains provisions as to the organization, powers and jurisdiction of courts. Rules regulating practice and procedure are promulgated by the judges, or a majority of them, with the approval of the Lieutenant-Governor in council. By similar acts, courts of judicature are established in the provinces of Manitoba, Nova Scotia, New Brunswick, Prince Edward’s Island and Newfoundland.

**Canada.**—Supreme and Exchequer Courts were established for the Dominion of Canada by “the Supreme and Exchequer Court Act of 1875.” The Supreme Court has an appellate jurisdiction throughout the Dominion of Canada, and such special original jurisdiction relating to controversies between any province and the Dominion of Canada, between any two or more provinces, and of suits in which the question of the validity of an act of the parliament of Canada or of any of the provincial legislatures is at issue, as may be conferred by the legislatures of the provinces. The Court of Exchequer has concurrent

original jurisdiction in cases to enforce any law of the Dominion of Canada relating to revenues, fines, penalties, etc., and exclusive original jurisdiction in all cases in which the demand is for relief sought in respect to any matter which might be the subject of a suit against the Crown, or any officer of the Crown in the Court of Exchequer, on its revenue side, in England. The Court of Exchequer and Supreme Court are composed of the same judges. Procedure in the Exchequer Court is regulated by the practice and procedure of Her Majesty's Court of Exchequer at Westminster, on its revenue side. Judges of the Supreme Court make rules regulating procedure in that court. There are 269 of these rules.

**Cape of Good Hope.**—The Roman-Dutch Laws (Laws of Holland) prevail. Book III. contains procedure in civil and criminal cases. Practice is also regulated by rules of court.

**Denmark.**—Christian the Fifth's "Danish Code" was promulgated in 1683. It is a classification and remodeling of the ancient Danish law codes and statutes. The contents are divided into six books relating to (1) procedure, (2) ecclesiastical law, (3 and 5) civil law, (4) maritime law, (6) penal law.

This code has been employed as a basis for further additions, and though certain portions have since been dropped out by the enactment of more recent statutes, it still forms the groundwork of Danish law, especially in civil cases. In the eighteenth century efforts were made to revise it, but after a generation of fruitless labor the attempt was given up.

The Ground-law (Constitution) of 1849, as revised in 1866, provides that the exercise of judicial powers can only be regulated by law; that the administration of justice be separated from police functions, according to rules enacted by law, and that publicity and oral process be carried out as far as possible. In criminal and political cases trial must be by jury. By virtue of this constitution, great reforms in the administration of justice were intro-



duced. The maritime and commercial court in Copenhagen was established, and a new code of criminal procedure adopted in 1866. But not all the regulations contained in the Ground-law relating to the administration of justice have yet been carried out.

**Egypt** has a Commercial Code which relates to the law of business relations, a statute of judicial organizations, and a code of civil and commercial procedure, 816 sections, which relates to practice and procedure in courts exercising jurisdiction over civil and commercial affairs.

**England.**—"The Supreme Court of Judicature Act," 1873, amended by the acts of 1875, 1876, 1877, 1879, 1881, 1883, relates to the constitution and judges of the supreme court, its jurisdiction, sittings and distribution of business, trial and procedure, its officers and their powers and duties, the jurisdiction of inferior courts, and miscellaneous provisions.

Part 4, relating to trial and procedure, comprising 21 sections, relates to reference, the directing of trial of issues before referees, and the power of referees, and also the establishment of district registers for the supreme court, the conducting of business by registrars, and their powers and duties.

Section 75 imposes upon the justices of the supreme court the duty of inquiring and examining into any defects which may appear to exist in the system of procedure, or the administration of law in such court, and they shall report such amendments and alterations to Her Majesty's principal Secretaries of State, as in their judgment are expedient to be made.

By the supreme court of judicature act (1875, § 17), as amended by the act of 1891, § 19, Her Majesty may, by order in council, made upon the recommendation of the Lord Chancellor, and the Lord Chief Justice of England, the Master of Rolls and the President of the Probate Division and four other Judges of the Supreme Court to be nominated in writing by the Lord Chancellor, make

rules for regulating the sittings of the court, the pleading, practice and procedure therein, and generally for regulating any matters relating to the practice and procedure of the several courts, the duties of officers thereof, and the cost of proceedings therein. By section 100 of the act of 1873, the rules of court shall include forms. There are sections in the other judicature acts, giving special power to certain judges to make rules in special cases. The general rules of the Supreme Court are divided into 72 orders, which orders are subdivided into rules. To these rules, as a part thereof, are appended certain forms.

**France.**—The judicial system embraces justices of the peace, civil tribunals of first instance, courts of appeal and the court of cassation. Justices of the peace are appointed in each canton, and have jurisdiction in cases involving not more than 200f. The decision is final in cases involving less than 100f. Civil tribunals of first instance exist in every district constituting a “sous préfecture,” and have general jurisdiction in all civil cases not cognizable by justices of the peace. No appeal is allowed when the amount involved is less than 1,000f.

Courts of appeal revise decisions of civil or commercial tribunals appertaining to their jurisdiction. There are 25 courts of appeal. The authority of the Court of Cassation extends over all the tribunals of France, civil, commercial, administrative and criminal. The code of procedure regulates the practice in all these courts.

**The German Empire** has a code of judicial organization and a code of civil procedure, which were first published as a complete draft in 1876, and were ultimately adopted and received imperial assent. They took effect October 1, 1879. The code of civil procedure is limited to matters which are dealt with by the ordinary courts in the exercise of their usual jurisdiction.

**Greece.**—The code of laws in use is substantially the “Code Napoleon,” and the administration of justice is nearly identical with the French system. There is a supreme court at Athens, a

court of appeal in each "monarchy," and courts of first instance in the chief towns.

**Hayti.**—The law is based upon the French codes, and the administration of justice is similar to the French system.

**Honduras** (Colony of British).—The Consolidated Laws were adopted in 1887. Part V. relates to the administration of justice, including the organization of the supreme court, trial by jury, recognizances, procedure in escheat, and appeals from inferior courts. Part VI. relates to civil procedure, including practice and modes of procedure in the supreme and district courts, the probate of wills, letters of administration, and powers and duties of the official administrator. Part VII. relates to oaths and evidence, including oaths of allegiance by colonial officers, oaths of jurors, witnesses, and interpreters; the subpœnaing, examination, competency and privileges of witnesses, and the manner of proving handwriting, addresses to jury, medical experts, confessions, etc.

**India.**—The Indian code of civil procedure was adopted in 1859. In 1860, the penal code was adopted, and in 1861 the code of criminal procedure. The code of civil procedure extends to all the provinces and states under the British government in India, and regulates the practice of all courts therein. This code was amended by act number 10 of 1877. The several provinces have enacted civil codes, containing acts upon various subjects, including the organization of the courts, and their jurisdiction and powers. These judicature acts generally give the courts the power to promulgate certain rules of procedure, not in conflict with the form of procedure prescribed by the Indian code of civil procedure. Among the Indian provinces and States which have adopted codes are Bengal, Burmah, Pegu, Madras, Punjab, the North Western provinces, the Central provinces, and Coorg.

**Ireland.**—The "Supreme Court of judicature (Ireland) act of 1877" and amendments of 1878, 1882, 1887, 1888, contain provisions relating to the constitution and judges of the court of



judicature, its jurisdiction, powers, and sittings, the distribution of business, trials and procedure therein, subject to the rules of court, and officers and their duties. To this act is added a schedule of rules, relating to the form of action and summons, interpleading, processes, parties, pleading, new trial, motions, and appeals.

Additional rules are also made by the Lord Lieutenant, by order in council, upon recommendation of the Lord Chancellor, Lord Justice of Appeal, the Chief Justice of the Common Pleas, and the Chief Baron, or any three of them, and by the other judges of the several courts, or a majority of them. These rules regulate sittings of courts, pleading, practice and procedure, fees and costs, and practice in chambers.

**Italy.**—The codes of law in use are the civil code, the code of civil procedure of 1866, the code of commerce of 1882, and the penal code and code of criminal procedure of 1889.

**Japan.**—A system of justice founded on modern jurisprudence has been established. Judges cannot be removed, except by way of criminal or disciplinary punishment. The system includes a court of cassation, which hears appeals on questions of law, both civil and criminal, whether errors in matters of jurisdiction, misinterpretation and misapplication of law or violation of the rules of procedure; seven courts of appeal, having appellate jurisdiction over cases decided in the courts of first instance, and which sit as courts of criminal jurisdiction for the trial of major offences; ninety-nine courts of first instance, one in each Fu or Ken, having unlimited original civil jurisdiction, and one hundred and ninety-four peace tribunals, with jurisdiction over minor claims and offences.

A criminal code and a code of criminal procedure based upon the Napoleon Codes, but modified by the old native criminal law, were published in 1880, coming into force in 1882. The code of civil procedure and the commercial codes received the sanction of

the Emperor in 1890, and became law January 1, 1891. The civil code became a law January 1, 1893.

**Lagos** (British Colony).—A Supreme Court ordinance was adopted in 1876. It relates to the constitution and jurisdiction of the court, its sittings and the distribution of its business, the transfer of causes to other courts, commissioners to relieve the court, appeals, officers of the court, barristers, solicitors and proctors, and the subpœnaing and examination of witnesses. Under section 69–98 the Supreme Court may in civil cases “provide reconciliation and encourage and facilitate the settlement in an amicable way, and without recourse to litigation, of matters in difference among persons over whom the court has jurisdiction.”

To this ordinance is appended schedules containing rules of court which regulate the practice, and which are subject to change from time to time, by the chief justice of the court, with the concurrence of the puisne judges.

**Mexico**.—The code of civil procedure, adopted in 1873, regulates practice in the courts. It contains 2,362 sections.

**Monaco** has adopted the French codes.

**Morocco**.—Government by the Sultān is unrestricted by any laws, civil or religious. The Sultan has six ministers, whom he may consult if he wish.

**Netherlands** has a civil code, a code of commerce, a code of civil procedure, a penal code, and a code of penal procedure, which were adopted in 1886. The code of civil procedure has 899 sections, and contains no substantive law. These codes superseded the laws of Holland, which were a codification, containing civil and penal provisions. Book III. of such laws prescribed a mode of procedure in civil and criminal cases.

**New South Wales**.—The supreme court was organized by the “Charter of Justice,” granted by George IV. in 1823. A great

number of acts have been passed since that time, which provide for the constitution of the court, its powers and jurisdiction. These had not been consolidated in 1879.

**New Zealand.**—The Supreme Court Act of 1882, contains provisions relative to the constitution of the court, its jurisdiction, practice and procedure, solicitors, officers, and miscellaneous provisions. To this act are attached as a part thereof, a schedule of 531 rules, regulating the practice and procedure of the court, in all causes and matters within its jurisdiction. The Court of Appeal Act of 1882, relates to the constitution of the court of appeal, and its civil and criminal jurisdiction, to which is appended a schedule of rules regulating practice on appeals.

**Ontario.**—The supreme court of judicature act relates to the constitution and jurisdiction of courts, rules of law, sittings and distribution of business, appeals, trial and procedure, officers and offices. Rules are adopted by the supreme court, with the concurrence of a majority of the judges, regulating the sittings of the court and the pleading, practice and procedure therein. The consolidated rules of practice of the supreme court (1890) number 1264, with a schedule of forms attached.

**Orange Free State.**—The Roman Dutch Law prevails (Laws of Holland), in which is prescribed the mode of procedure in civil and criminal cases.

**Persia.**—All laws are based on the precepts of the Koran, and though the power of the Shah is absolute, it is only in so far as it is not opposed to the accepted doctrines of the Mohammedan religion, as laid down in the sacred book of the prophet, his oral commentaries and sayings, and the interpretation of the same by his successor and the high priesthood. Justice is administered by the Governors of the provinces (22 in number), and their representatives, and by the Sheikhs-il-Slam, and the priesthood. The former administer justice according to the Urf, the unwritten or



common law; the latter, according to the Shai, the written or divine law.

**Portugal** has codes modelled after the French codes, including the code of civil procedure.

**Quebec, Province of.**—The constitution and jurisdiction of the courts, and the trial and practice therein, are prescribed by the code of civil procedure. The judges of the courts may make rules of practice necessary for regulating proceedings therein, not provided for by the code of civil procedure. The code contains 1,361 sections.

**Queensland.**—The Supreme Court Act of 1867 provides for the constitution and jurisdiction of the court. By section 52, rules regulating the forms of process and mode of pleading are made by justices of the supreme court, or a majority of them. The Common Law Pleading Act of 1867 regulates the forms of pleading, and contains 63 sections. The Common Law Practice Act of 1867 regulates the trial of causes and contains 95 sections. The Common Law Process Act of 1867, 77 sections, regulates the forms of process and the service thereof. The Costs Act of 1867 regulates the recovery of costs and their taxation. The Equity Act of 1867 contains 157 sections, and regulates equitable proceedings in the supreme court. Supplemental to this act is the Equity Procedure Act of 1873.

**Russia.**—The whole legislative, executive and judicial power is united in the Emperor, whose will alone is law. A new system of jurisprudence was promulgated in 1864, containing separate codes, relating to the organization of courts and civil procedure therein. The main features of this system are the complete separation of the courts from all other parts of government; trial by jury in open court in all criminal cases; the establishment of inferior tribunals for the trial of petty causes, and great simplification of the procedure.

**Servia** has a civil code, a civil code of procedure, a criminal code with procedure, a code of commerce, press law, tax law, law of bankruptcy, and a special law for advocates and lawyers.

**Spain.**—Justice is administered by the Supreme Tribunal, by courts for civil causes, and courts for criminal causes; and every important town has one or more judges with civil and criminal jurisdiction. There is a civil code, and also a penal code. Practice is regulated by rules adopted by the courts, and by usage and custom.

**Sweden.**—Nothing like the English common law as opposed to statute law is known in Sweden. All law is statute law. The judiciary is intimately connected with the legislature. Laws were made by the judiciary and approved by the people prior to 1347. After that no code came into use without the approval of the King. Commissioners were appointed for reporting a "Common country code," which was promulgated by the King in 1352. A common city code was promulgated in 1365. These codes brought to an end provincial legislation and the common law in Sweden, and from that time to the present no such law has been able to grow in Swedish soil.

Several commissions were appointed from time to time, but accomplished nothing until, in 1686, a commission was appointed to revise the old codes. They first decided to report one code in place of the country and city codes. Five parts out of nine of the present common, civil and penal codes were framed by the commissioners between 1686–1710. The whole scheme was completed in 1723. The code was adopted in the legislative sessions of 1731 and 1734, and became law September 1, 1736. This code was known as the New Code. Since that time several attempts have been made at revision. A code was reported by a commission in 1844, '47, '49, and '50. It comprised a civil and penal code. The civil code contains a code of procedure.

(This information is obtained from a letter written by Professor Bergfalk, Professor of Law in the University of Upsala, to David Dudley Field in 1851, and published in 15 *Law Review*, 126.)

**Turkey.**—The laws of the Empire are based on the precepts of the Koran. The will of the sultan is absolute. (See Persia.) The Ottoman civil code contains sixteen books. Books 9 to 16 relate to the bringing of actions, trials and the enforcement of judgments.

**Victoria.**—The Supreme Court Act of 1890 is divided into seven parts; namely, introductory, constitution, jurisdiction, powers and duties of court and judges, sittings and distribution of business; rules of law in civil procedure; civil procedure; appeal to privy council; officers of the court.

The part on civil procedure is in 14 divisions, relating to foreign procedure; foreign attachment; arrest and bail; arbitration; references; proceedings before chief clerk; opinions of experts; judgments and execution; changing stock and shares; specific delivery; action for recovery of land; replevin; bills of costs; miscellaneous.

Rules regulating practice in the supreme court are adopted by the justices. The Justices' Act of 1890 provides for justices' courts, their powers and jurisdiction, and regulates the practice therein.



## PROCEDURE IN NEW YORK.

The legal history of this State may be conveniently divided into the following periods :

1st. From the settlement of the colony to the promulgation of the "Duke's Laws" in 1665.

2d. From 1665 to the establishment of the Supreme Court in 1691.

3d. From 1691 to the establishment of the State Government in 1777.

4th. From 1777 to the Revision of 1801.

5th. From 1801 to the Revision of 1813.

6th. From 1813 to the Revision of 1828.

7th. From 1828 to the Code of Procedure of 1848.

8th. From 1848 to the Code of Civil Procedure of 1876.

9th. From 1876 to the present time.

During the last period the latter portion of the Code of Civil Procedure was adopted in 1880, but it is a part of the Code as first planned, and is therefore treated as if it had been adopted at the same time as the first part.

Our judicial system has a mixed Dutch and English origin ; it has been developed from small beginnings, and is the result of many struggles, much halting and uncertainty, and numerous compromises. The rude judicial tribunals of the early colonial period were copied from those of European countries, with the modifications required by pioneer conditions, and the necessary simplicity of provincial life. The colony of New Netherland was planted by the great West India Company, a commercial corporation of Holland. This gigantic corporation was invested, not only with vast commercial privileges, but also with the most com-

prehensive judicial power. "It was exclusively intrusted with the administration of justice in the colonies it should establish, having the right to appoint governors, officers of justice, and all other public officers, to maintain order and police, and generally, in the language of the charter, to do all that the service of those countries might require." "The colony of New Netherland was formally organized in 1623, and a settlement was established at Manhattan, the present site of the city of New York." Whether any provision was made for judicial tribunals during the first few years of the colony cannot be now determined, but it is probable that the colonists had little, if any, occasion for organizing courts.

Minuit came out as Governor in 1626, and "he had, to assist him, a council of five, who, with himself, were invested with all legislative and judicial powers, subject to the supervision and appellate jurisdiction of the Chamber at Amsterdam." There was also attached to this body an officer well known in Holland by the name of "schout-fiscal." "He was a kind of an attorney-general, uniting with the power of a prosecuting officer the executive duties of a sheriff." For ten years the administration of justice was left to this body. In what manner judicial proceedings were conducted is unknown. The records of this period are lost, having been sold at auction as waste paper in 1821 by the government of the Netherlands.

William Kieft came out as Governor in 1638, and ruled the colony with vigor for nine years, but retained in his own hands the sole administration of justice. He was obliged to have a council, but he reduced it to one member, reserving two votes to himself. Under this administration the establishment of town courts was begun, the town court of Hempstead having been established in 1644, with eight magistrates, appointed by the Governor, upon nominations made by the patentees of the town. If the amount in controversy exceeded fifty guilders (twenty dollars), an appeal could be taken to the governor-general and

council at New Amsterdam. In 1645 a town court was established in Gravesend, of three magistrates, with substantially the same jurisdiction as at Hempstead. A town court was established in Breuckelen in 1646. Up to that date, the only court on Manhattan Island was that of the director-general and council.

In 1647 a board of nine men was established, selected by the director-general and council, from eighteen men nominated by the commonalty. Three of these were selected from the merchants, three from the burghers, and three from the farmers; and one from each class, making a board of three, rotating every month, was required to attend the court and act as arbitrators in the decision of such causes as might be referred to them. This court of arbitration, chosen from the nine men, was the first tribunal in the colony in the selection of which the people had any voice. It continued until the establishment of New Amsterdam as a city in 1653. Several town courts were established during this period. During the early colonial period, the inferior courts generally possessed final jurisdiction in small civil causes, and there was no appeal from their judgments, except in cases involving more than fifty guilders. The tribunal of the nine men continued for seven years. But there was constant collision between the Governor and the people. The colonists, after a struggle of five years, procured an order from the home company to establish in the colony a municipal court of justice, to be composed of one schout, two burgomasters and five schepens. A burgomaster was a kind of mayor; a schepen was an officer resembling an alderman, and a schout combined the functions of a sheriff and a district attorney. This court was organized in February, 1653, and was called "The worshipful court of the schout, burgomasters and schepens." The procedure in this court was simple and summary, and strongly resembles, in many respects, the procedure established for the Roman people by the law of the Twelve Tables.



The court exercised unlimited civil and criminal jurisdiction, except in the infliction of punishment in capital cases. Attached to the court was an officer known as the court messenger, who, at the verbal request of the party aggrieved, summoned the adverse party to appear at the next court day. If the defendant failed to appear, he incurred the cost of the summons, and lost the right to make any objection to the jurisdiction of the court, and a new citation was issued. If he failed again, he incurred additional cost, and lost the right to make "all dilatory exceptions," or to adjourn or delay the proceedings. He was then cited for the third time, and if he did not then appear, the court proceeded to hear the case and give judgment, and he was cut off from all right of appeal or review. But if, upon hearing the plaintiff's case, the court deemed the presence of the defendant essential, they might issue a fourth citation in the nature of an arrest and compel his appearance. The plaintiff stated his case and the defendant made his answer. If they differed in a fact that the court thought material, either party might be put to an oath. If the case was intricate, or if it was difficult to get at the truth, it was the constant practice to refer the case to arbitrators, who were always instructed to bring about a reconciliation between the parties if they could. The arbitrators were left to the choice of the litigants or appointed by the court, or one of the schepens was directed to take the matter in hand and try to reconcile the contestants. If no reconciliation could be effected, or the parties would not submit to the final determination or conclusion of the arbitrators, the dissatisfied party might again bring the matter before the court, where it was finally disposed of. The defendant could require the plaintiff to put his complaint in writing, and if he did so the defendant was also obliged to answer in writing. The plaintiff could reply and the defendant rejoin, and there ended the pleadings. The great majority of cases were referred to arbitrators, or disposed of upon a summary hearing of the parties before the magistrates.

When judgment was given against a defendant for a sum of money, time was given for payment, usually fourteen days for the discharge of one-half and the remainder in a month. If he did not pay within the time fixed, proceedings were taken to levy on his goods, which were taken by the officer and detained six days subject to redemption; at the end of that time, if not redeemed, the property was sold at auction in a very peculiar manner. "The officer lighted a candle and the bidding went on while it was burning, and he who had offered the most at the extinction of the candle, was declared the purchaser." The court did a general business, and was also a court of admiralty and a court of probate in taking proof of last wills and testaments, and in appointing curators to take charge of the estates of widows and orphans.

It seems that the origin of a fee bill, for regulating by a fixed and positive provision of law the costs of attorneys and other public officers, may be traced to Governor Stuyvesant. On the 25th of January, 1658, he issued a proclamation with a preamble reciting the abuses that had arisen by reason of the conduct of certain officers in demanding excessive fees, and fixing with detail the fees thereafter to be charged. "It is then provided that the officers enumerated shall serve the poor gratis for God's sake, but may take from the wealthy the fees specified."

Courts of a similar character were established in other parts of the province. From all these local courts an appeal lay to the court composed of the Governor and council at New Amsterdam. These constituted the judicial tribunals of New Netherland until the colony passed into the hands of the English in 1664.

Early in the year 1665, a code prepared by Lord Chancellor Clarendon, father-in-law of the Duke of York, afterwards James II., and called the "Duke's Laws," was promulgated and went into operation at Long Island and Westchester. Afterwards its provisions slowly made their way in New York and the remainder of the province.

This code embodies the earliest attempt in New York at a systematic compilation and statement of law relating to the rights of persons and property, and of procedure, both civil and criminal. But it was not the first colonial code. The early English settlers in America had ample opportunity to experiment with advanced legal and constitutional ideas; while they brought with them the general rules of the common law, they nevertheless felt free to undertake law reform in its broadest sense, and to make laws for themselves, incident to their new conditions, for which the law of the mother country was inadequate or inappropriate.

The Massachusetts Colony, as early as March, 1634, through its General Court, appointed a committee to revise the law. Other committees were appointed in 1635 and 1637, and in the latter year the freemen were requested to submit suggestions to the committee concerning the laws. Maryland adopted a code in 1639. In Massachusetts, another committee was appointed in 1639, and on December 10, 1641, a code of laws embracing one hundred and twenty sections was adopted. It is said to have been prepared by Rev. Nathaniel Ward, and was called "The Liberties of the Massachusetts Colony in New England." Connecticut adopted a code in 1650, a large part of which was evidently copied from the Massachusetts code. Virginia seems to have adopted a body of laws in 1611, and in 1656 the laws of the colony were reduced into one volume.

The compiler of the "Duke's Laws" of the colony of New York evidently had before him other colonial codes, especially the Connecticut code, between which and the "Duke's Laws" there is a striking similarity in the arrangement and subjects of the titles; and it is stated in the order of the King promulgating the "Duke's Laws," that they are compiled and digested from the laws of the other colonies. The New York code called the "Duke's Laws" was alphabetically arranged in seventy-two titles or paragraphs, and an examination of these titles shows its comprehensive character. It embraces "Absence, Actions, Adminis-



tration, Amerciament, Appearances, Appeal, Apprisement of Goods, Arrest, Assessments, Assaults, Attachment and Summons, Attorney, Assizes, Barratry, Ballast, Bills, Bond and Slavery, Bounds, Brewers, Births, Marriages and Burials, Capital Laws, Cattle, Cornfields, Causes, Church, Church Wardens, Charges, Public, Children and Servants, Chirurgeons, Midwives and Physicians, Courts, Constable, Conveyances, Deeds and Writings, Council, Condemned, Defamation, Dowery, Fees, Fences, Fornication, Forgery, Fines, Fugitives, Horses, Impresses, Inn-Keepers & Ordinaryes, Indians, Jurors and Juries, Justices of the Peace, Lands Laws, Lying and false news, Marriages, Masters, Servants and Laborers, Military Affairs, Officers and Offices, Overseers, Orphans, Payments, Pipe Staves, Possession, Public Affairs, Packers Casks, Keepers and Gagers, Pounds, Prisons and Stocks, Public charges, Records, Sailors, Sheriffs, Townships, Votes, Weights and Measures, Witnesses, Wolves, Wrecks of the Sea, Warrants."

Justices of the peace were commissioned for the various towns, and were clothed with all the powers exercised by such officers in England. A local court was created in each town for the trial of actions of debt or trespass under five pounds. Six overseers, elected by the people, with a constable, or seven without him, constituted a quorum for the transaction of business. All questions were determined by a vote of the majority, and if the overseers were evenly divided, the constable had the casting vote. In 1666 the number of overseers was reduced to four, and any two of them, with the constable, held the court. The town clerk was the clerk of the court.

The "Duke's Laws" retained the practice of arbitration, with which the people had become familiar under the Dutch rule. It was originally provided that "All actions of debt or trespass under the value of five pounds, between neighbors, shall be put to arbitration of two indifferent persons of the neighborhood, to be nominated by the constable of the place." By an early amendment

it was provided that if the parties refused to arbitrate, the case should be determined by the court. If the case involved less than five pounds, the arbitrators were to be nominated by the constable; if more than that amount, they were nominated by the justices. Appeals were taken from the decision of the town court to the court of sessions.

A court of sessions was also created, which had jurisdiction of all civil, criminal or equitable actions over five pounds. Actions at law, and all criminal cases, were tried before a jury. The jurors were drawn from the overseers, each town electing eight. "No jury shall exceed the number of seven, nor be under six, unless, in special causes upon life and death, the justices shall think fit to appoint twelve." The verdict of a majority was sufficient, except in capital cases, where the jury was uniformly composed of twelve, who were required to be unanimous.

The highest tribunal in the province was the Court of Assize, or, as it was sometimes called, the "General Assizes." It was held once a year in the city of New York, by the Governor and Council and such of the justices of the peace as saw fit to attend it. This court had original jurisdiction, civil, criminal and equitable, and heard appeals from the inferior tribunals.

Under the "Duke's Laws," all actions were commenced by the plaintiff's entering and filing in the clerk's office, at least eight days before the day of the hearing, his declaration, "to the end that the defendant may, if he please, take a copy thereof, and provide his answer, which is also to be filed by the said defendant, and the judgment, if for the plaintiff, shall be endorsed on the declaration; if for the defendant, on the answer, and all evidences concerning that cause are to be filed together and remain in the hands of the clerk." At the time of entering his declaration, the plaintiff obtained a summons or warrant for the defendant. The summons was required to be served at least eight days before the court. If not so served, the defendant was at liberty to appear or not, at his option.

In June, 1665, the court of burgomasters and schepens was abolished in the city of New York, and a new court was organized, called the Mayor's Court, a title by which it was known for one hundred and forty-six years afterwards. The records were directed to be kept in English and Dutch, and a jury of twelve was required to be empaneled for the trial of civil causes. There was no court of chancery, but matters in equity were heard in any of the courts organized in conformity to the "Duke's Laws."

The first General Assembly of New York met on the 17th day of October, 1683, and among its first and most important acts was the passage of the law entitled "An act to settle courts of justice." By this act four distinct tribunals were created—"A petty court for the trial of small causes for every town; a court of sessions for each county; a court of oyer and terminer and general gaol delivery; and a court of chancery for the entire province." The Court of Assize was abolished.

The town court was held by three commissioners appointed for that purpose. The "process of warning" was a summons under the hand of the commissioners, to be served by a messenger, personally, or left at the defendant's house four days before the court. The cause might be tried before a jury if demanded by either party. In the court of sessions the summons was to be issued to and served by the sheriff, but no time was prescribed for its service.

Another provincial Assembly was held in 1691, and its most important act, for our present purpose, was the act re-organizing the judicial system of the colony. This act was prepared by James Graham, the Speaker of the Assembly, and was introduced and passed on the 17th of April, 1691. Upon this statute Mr. Robert Ludlow Fowler, in his "Observations," comments as follows: "This act founded the supreme court, the tribunal which still continues to be the great law court of the State; and it vested in it a jurisdiction which change of government and



constant reforms and revolutions in procedure have been powerless to abridge in any material respect ; for while its jurisdiction has been enlarged by its union with the court of chancery, its ancient jurisdiction still remains unimpaired. The supreme court of the province was the instrument by which the great body of the jurisprudence of the English common law was applied to New York. This court was the King's Bench of the province, where the king himself (*coram ipso rege*) theoretically sat in person to administer justice to his subjects in this part of his dominion. It was from the act of 1691 that the supreme court of this State inherited not only the traditions of the Saxon *Aula Regis*, but the best fruits of centuries of English law. So wise were the provisions of that early Act of 1691, that the patriotic framers of the first State government recognized its creation, the supreme court of the province, as an appropriate tribunal for a free people and a new order of things."

In addition to the supreme court, the act provided for a justices' court, a court of sessions, a court of common pleas, and a court of chancery. The justices' court was held by a justice of the peace and one freeholder of the town where the cause of action arose. Actions were commenced by a summons, to be personally served on the defendant, or left at his house, two days before the day of hearing. The existing court of sessions was continued. A court of common pleas was provided in each county, consisting of one judge and three justices, with general jurisdiction in common law actions, but no appeal was allowed where the amount in controversy was less than twenty pounds. Mayors' courts in cities possessed the same power and jurisdiction as the court of common pleas. All processes and writs were issued by the clerk of the court, and signed "*per curiam*."

The court of chancery was composed of the Governor and council, and the Governor presided unless he nominated and appointed in his stead a chancellor. Matters of fact were to be determined in all courts, except the court of chancery, by a jury

of twelve men. Appeals might be brought from the Mayor's court and common pleas to the supreme court, from any judgment above twenty pounds; from the supreme court to the Governor and council from any judgment above one hundred pounds; and from the Governor and council to Their Majesties in council from any decree or judgment above three hundred pounds. This act was only to be in force two years, but it was re-enacted from time to time and continued by proclamations and was in force, with some modifications, at the organization of the State government in 1777.

Except during a brief period, the original jurisdiction of the supreme court has been general. On the 20th of May, 1769, an act was passed, depriving this court of original jurisdiction in actions involving less than fifty pounds. This act expired by limitation, January 1, 1773, and since that time the court has possessed general original jurisdiction in all cases.

By the first constitution of 1777, the existing courts were recognized and continued, and a new court for the trial of impeachment and the correction of errors was established, familiarly known as the "Court of Errors," which continued down to the adoption of the Constitution of 1846.

The first act relating to procedure after the organization of the State government was passed on the 16th of March, 1778. It regulated the jurisdiction, powers and terms of the courts, and the return of process. In 1780 a new justices' court act was passed, increasing the jurisdiction to one hundred pounds, and providing for a summons returnable not less than six nor more than twelve days from the date of service, and to be served six days before the return, which is the present rule. The constable was required to select the jury. This is the earliest statute we have found, either in the State or colony, giving the constable power to select the jury; but it was probably the regular practice. The germ of the practice may perhaps be found in the provision in the "Duke's Laws" for arbitrators, to be chosen by the constable. We did

not outgrow this custom until 1889. The forms of the oaths to jurors, and also to witnesses, are prescribed by the Act of 1780, and they are still retained in our practice. In ordinary cases an execution could not be issued until thirty days after judgment, and the constable was required to levy after twenty and within thirty days. This act also makes provision for cases involving the title to land, the amount of costs to be taxed in particular cases, and the fees allowed in ordinary matters in justices' courts. The justices' court statutes of to-day are very largely based upon this Act of 1780. There was a general revision of the statutes relating to costs in 1787, limiting the right to costs and making the amount dependent upon the recovery, substantially according to the present rule.

Trial by battle was abolished in 1786, and practice in the "Grand Assize" was regulated. This was a method of trial of title to land instituted by Henry II. in the latter half of the twelfth century, and the tenacity of English institutions is illustrated by its continuance as part of our legal system until it was formally repealed in 1828, although it had long since fallen into disuse. The wager of law was abolished in 1787.

A general statute of limitations was passed in 1788, and while the limitations in particular cases have been somewhat varied since then, the general scheme of limitations of actions in our present law is substantially the same as in the early statute.

The early history of the State shows an exceedingly fragmentary condition of legislation relative to procedure. There was no attempt at codification, but subjects were treated by the legislature from time to time as occasion arose, and the uncertain, unsatisfactory and experimental character of the legislation is shown by the fact that some of the most important laws were limited in their duration. They were only enacted for a specified time, and quite often were amended before the time elapsed. Terms of court were fixed by act of the legislature, and frequently by the Governor's proclamation. It was a period of paternalism in legisla-



tion, and almost every subject of public or private interest received the attention of the legislature, and it is not surprising that judicial procedure did not take any definite shape. The courts were still continued upon English and Dutch models, and the procedure was largely of an inherited character. From the organization of the State in 1777 to the year 1800, inclusive, there were 78 general statutes relating to practice; in 1801 there were 37 of the same character.

The legislature of 1801 evidently appreciated the necessity of reform, for an act was passed, chapter 90, "for the amendment of the law, and the better advancement of justice." It regulated the admission of evidence under the general issue; provided for the compulsory reference of long accounts; the taxation of costs; the entry of judgment by the clerk upon default; provided for a joint or several action upon a joint and several liability; for judgment against joint debtors where some were not served; prevented the abatement of actions upon the death of one or more parties, if the cause of action survived; provided for the appointment of deputy county clerks; fixed the fees of witnesses in courts of record, and contained regulations concerning several other minor matters. The same legislature revised the laws concerning costs in the supreme court; fixing the right to costs to recoveries of \$50 or more, which limitation has been continued since that time. The fee bill was also revised by the same legislature.

From 1802 to 1812, inclusive, there were 33 general practice acts. In 1813 there was a general revision of the law, and the subject of practice was embraced in 26 statutes. There was a revision of special subjects, but no general codification. It is evident that the revisers began to appreciate the importance of arrangement and classification, for each court is treated in a separate act embracing the general provisions relating to procedure therein. There were several other general acts relating to particular subjects of practice, such as pleadings, judgments and executions. The "Law Amendment Act" of 1801 was revised,

extended and re-enacted in 1813, together with the general fee bill. There were also statutes regulating actions upon particular subjects, like mortgage foreclosure, partition, dower, divorce, waste, and others, which are the basis of various portions of chapters 14 and 15 of the present code of civil procedure.

Reform in procedure was materially limited by the provision in the first constitution, prohibiting the legislature from instituting any new court "but such as shall proceed according to the course of the common law," which practically imposed the common law procedure upon any new tribunals which might be created.

From 1814 to 1827, inclusive, there were 47 general practice acts, and in 1827 and 1828 the revised statutes were adopted.

The revisers of 1828 undertook to collect and place in one act the various provisions relating to practice in all the courts, which provisions form Part III. of the Revised Statutes, in a chapter entitled, "An act concerning the courts and ministers of justice, and proceedings in civil cases," with a preamble stating the importance of consolidating, arranging and simplifying proceedings. Part III., relating to practice, contains 2,547 sections, and the revisers say, in a preliminary note, that they have followed the general plan laid down by Mr. Tidd in his treatise on practice, of whom they say that "a higher authority and a safer guide could not be found in the whole range of English and American writers." The deviations from Mr. Tidd's plan are necessary, the revisers say, in consequence of the difference between English and American forms of government, and our peculiar circumstances and institutions; and that the attempt which our courts had made to adapt the English forms of procedure to our own practice had not been successful in many cases, because of the differences already noted, and also because the courts did not possess the necessary power.

This part of the revised statutes constitutes our first code of civil procedure. The revisers did not call it a code, but it was as much entitled to this name as any code which has been enacted

since. It embraced nearly all of the practice in all the courts. The great lawyers who prepared the revised statutes of 1828 were the pioneers in code reform in this State, and their work has been the basis of subsequent code revision. Later code compilers have borrowed freely from them, and have closely followed their general plan and classification. No one can compare either the code of 1848, or the present code, with the revision of 1828, without observing a great similarity in arrangement and general style.

A very large part of our present civil procedure had its origin in the practice Act of 1828. The revisers wrote without any guide or model, but prepared a code which for nearly seventy years has been the basis of all our civil procedure. While pursuing common law remedies, and adhering to common law forms and practice to a large extent, the revisers nevertheless prepared a scheme of practice, and a classification of procedure, which have not since been materially improved; but a very large part of their work, modified by the changes in the structure of judicial tribunals, accomplished by constitutional amendment, has been copied into our codes of civil procedure. It is not too much to say that the Institutes of Justinian exhibit no higher evidence of genius than the revised statutes of 1828.

From 1828 to 1848 there were 72 general practice acts. In the latter year the "Code of Procedure" was adopted. David Dudley Field began writing on law reform as early as 1839, and two bills prepared by him were introduced in the legislature of 1842, one containing 50 sections, seeking to simplify the administration of justice in the courts of common law, and another relating to practice in courts of equity. The "Common Law" bill provided that the first proceeding should be a complaint, filed with the clerk of the court, setting forth the nature and particulars of the cause of action, which was to be verified by the plaintiff or his attorney. Upon the filing of this complaint, a summons was to be issued by the clerk, indorsed by the plaintiff's attorney, requiring the defendant to appear in person, or by attorney, upon a day therein



fixed, and to answer the complaint. The proposed bill abolished all forms of action and all forms of pleading, and undertook to provide a simple procedure. The bill is quite limited in its scope, and shows that Mr. Field was not yet emancipated from the traditions of the common law. This is shown by several provisions in the proposed bill, which were not included in the code submitted and adopted six years later; and it is noticeable that in this bill he proposed to commence an action by the filing of a verified complaint, a copy of which should be served with the summons. By this suggestion he revived the provision of the "Duke's Laws" of 1665, which required a declaration to be filed before process was issued.

The judiciary committee of the Assembly declined to approve Mr. Field's bill, but offered one prepared by itself, containing 28 sections, and based largely upon the scheme proposed by him. Neither of these bills was passed. Mr. Field continued his labors and was subsequently the chairman of a commission which produced the "Code of Procedure," containing 391 sections, adopted in 1848. These commissioners, in their report to the legislature of 1849, say that they have undertaken the task of making the first code of practice ever made in a country holding the common law of England, and supplanting by a new work of their own creation, the heterogeneous mass styled practice, which had been accumulating for ages. Without detracting in the slightest degree from the value of the important work accomplished in law reform by this Commission, we think they failed to give proper credit to the revisers of 1828, from whose work they freely borrowed.

Mr. Field says that under the revised statutes there were ten different forms of action, each with its peculiar technical language. The distinguishing features of the code of procedure were the abolition, so far as possible, of the distinction between actions at law and actions in equity; the abolition of existing forms of pleading, and the general simplification of legal proceedings. These reforms were sufficient to justify the code, but in numerous

matters of arrangement, classification and detail, its authors were close imitators of their predecessors who framed the earlier revision.

In 1849 there were 190 amendments to the code of procedure, and 82 new sections were added, and from that time to 1876 there were 361 amendments, making 551 in all, from its adoption in 1848 to 1876, when the code of civil procedure was adopted; and during the same period there were 182 general practice acts.

Thirteen chapters of the code of civil procedure were enacted in 1876, 9 in 1880, and one relating to condemnation proceedings in 1890. Including the sections added and repealed, there have been 1,323 amendments to the code of civil procedure, and during the same period there have been 92 general statutes relating to practice. According to our computation, this makes a total of nearly 2,500 statutes and code amendments, besides hundreds of special, local and temporary acts, since the organization of the State Government.

This great mass of legislation shows an incessant, and sometimes even painful struggle to attain an unattainable perfection in procedure. Law, almost equally with medicine, is an experimental science, and perfection is scarcely to be expected. Laws rapidly become obsolete, and the approved legislation of yesterday is the text of law reform to-day, and will be a legal curiosity to-morrow. While law may be theoretically "the perfection of human reason," it quite often fails to work out perfection in human experience. Cicero lavished extravagant praises upon the Twelve Tables, but even in his day they had been seriously modified by the energy and growth of a powerful commonwealth. Sir James Stephen says that frequent revisions of a code are indispensable to keep it in efficient working order, and these revisions must be made until men are able to construct a perfect legal system. The shifting and fluctuating necessities of human society make it impossible, even if desirable, for statutes to

assume a fixed condition. Satisfaction means stagnation, and a system of procedure calculated for the every-day use of a complex civilization, must be sufficiently elastic to permit its application to new and constantly varying conditions.

## **WHAT SHALL BE DONE WITH OUR CODE OF CIVIL PROCEDURE ?**

This is a serious question. That our civil procedure ought to be revised, nearly everybody admits; and the responses to our circular show a very strong preponderance of sentiment in favor of a general revision. While some persons object to a revision, it is quite evident that the objection is made upon grounds of convenience, and to avoid the uncertainty in practice which might be created by a new code; and not because our present procedure is believed to be as systematic and convenient as it could be made. We appreciate the objections of those who deprecate the unsettling of practice, and we are unwilling to recommend any revision which will have that effect to any considerable extent; but the history of the development of civil procedure in this State shows that the time has arrived when it will be convenient and for the public interest to undertake a re-arrangement, a more thorough classification, and a revision of our entire civil procedure.

We have already noted the first revision of the procedure in 1828; a partial revision accomplished by the code of 1848; another partial revision by the code of civil procedure of 1876 and 1880, and the numerous practice acts, additions and amendments to the code which have been the subject of constant legislative attention; and now that the general statutes of the State are being revised, we think it is a proper time to also revise the civil procedure, so that the entire scheme of revision may be made harmonious and symmetrical. It will be difficult to com-



plete a reasonable scheme of statutory revision without also revising our system of procedure, for the reason that some fifty subjects, involving practice either directly or remotely, are now scattered through the laws, and there is no appropriate place for them outside of a code, because of their heterogeneous character, which prevents any considerable combination and classification. The amendments to the code itself have been of such a fragmentary, unsystematic and piecemeal character, that, instead of a simple code, we have a complicated and inconsistent system of practice, which is the almost inevitable result of our method of code construction.

Many suggestions concerning revision have been made to us by eminent judges and members of the bar, which will be fully considered before the result of our work is finally submitted. These suggestions show a great diversity of opinion as to the nature and office of a code. Some lawyers are in favor of a radical revision, recommending that it be assimilated to the English, German or French practice. Some suggest that the code of procedure should only embody a few general provisions, that the judges should be clothed with power in convention to make rules governing all matters of detail; that such rules should be subject to revision at stated periods, and also at such other times as circumstances may seem to demand. Others think that the code should contain all matters of detail. It is also suggested that all actions and proceedings in all courts be commenced by the service of a summons, and especially that proceedings in surrogates' courts should be substantially the same as in the supreme court; that there should be separate surrogates' and justices' court codes, and that the organization and jurisdiction of the courts, and miscellaneous and special provisions, should be included in general statutes. Some lawyers suggest that all the rules of evidence should be embodied in the code, while others think that the rules of evidence now in the code should be eliminated therefrom, and placed in a separate code, to be called the "code of evidence."

Numerous suggestions have been made in favor of shortening the time for service of process and papers. It is also suggested that the code of 1848 should be restored as it stood at the time of the adoption of the code of civil procedure in 1876. We have also received a large number of suggestions relating to matters of detail, affecting specific subjects of procedure and sections of the code, which will receive attention when the matter of actual revision is reached.

We have already considered, as fully as time and circumstances would permit, the suggestions of a general character which might aid us in formulating the recommendations which we have concluded to submit. In the responses to our circular, we note a very general desire for permanency in our procedure, and the emphatic opinion that the code is too frequently amended and the practice thereby kept in an unsettled condition. While it is quite apparent that amendments are frequently made to meet the exigencies of particular cases, it is nevertheless true that a large number of the amendments are the result of a sincere desire to perfect the scheme of procedure, by correcting errors and omissions whose existence is developed by experience.

It has already been noted that the code of 1848 was frequently amended, and this was quite often done at the suggestion of its author. The number of amendments to that code was greater in the aggregate than the whole number of sections, and several sections were frequently amended, while others remained untouched; 190 amendments were made and 82 new sections added in 1849, and the entire code was re-enacted. After that time there were 361 amendments. But 210 sections, or nearly half the entire number, were not amended at all; and in this number were included very many of the most important subjects, embracing the ordinary and more substantial features of procedure. This shows a reasonable permanency in practice, within the somewhat narrow limits of the code.

An examination of that part of the code of civil procedure relat-



ing to the practice in ordinary actions in courts of record, included in chapters 4 to 13 inclusive, reveals a condition of the law which should make us pause before recommending a general revision. The first 13 chapters of the code were enacted in 1876, and went into operation May 1, 1877. The Legislature of 1877 made numerous amendments, some of a verbal, others of a substantial character, which took effect September 1, 1877. Excluding the provisions specially relating to the counties of New York and Kings, there were originally in this part of the code 1,050 sections. Of this number 657 remain unchanged. Of the sections amended in 1877, 156 have not been amended since, and the amendments of that year may be considered as practically a part of the original code. Adding the 156 sections to the 657 which have not been changed at all, we have 813 sections which have not been changed since 1877. By chapter 542 of 1879, 78 sections were amended. Since that time, and up to and including 1894, only 100 sections, and including 1895, 149 sections have been amended. There were 66 amendments in 1895, but a large number of these were formal, and made necessary by the new constitution. Twenty-nine sections have been repealed, leaving 1,021 still in force. It thus appears that for 16 years the "business" part of the code has remained substantially unchanged. It has received extended judicial construction, and the practice provided by it has become tolerably well understood and quite firmly established. Whether this part of the code should now be re-written is a question which should be carefully considered. An attempt to re-state and re-write its provisions will almost necessarily result in changes in form, expression and substance that would require judicial construction, and the practice would remain unsettled for many years. Changes may be justified which simply reduce the bulk of the code, and simplify its provisions without changing its substance or prescribing rules of practice vitally different from those now in force.

While absolute philosophical accuracy is desirable, and should



be attempted, in original statutes, it may be doubted whether an attempt at such accuracy should now be made at the possible expense of the stability and certainty of the law; and unless extensive reforms are to be introduced, a revision should probably be confined to such changes as may tend to perspicuity, without unsettling established practice. Such a revision could be attempted after a new classification and a re-arrangement of the code has been accomplished. For the purpose of harmonizing and simplifying the practice, many provisions can probably be eliminated, but great care should be used in this process of excision, lest matters of substance be sacrificed to mere brevity.

In our work as Commissioners of Statutory Revision we find a large number of statutes relating to practice, which properly belong in a complete code of civil procedure. Some of them are independent provisions, and some are fragments of subjects already partially included in the code. The plan of revision which we recommend will permit the incorporation and classification of all of these subjects in the code, where we think they should be retained. If the legislature, in enacting laws upon new subjects involving procedure, will place them in the code, the symmetry of the system which we suggest may be preserved, and the annoyance resulting from scattered legislation relating to procedure will be avoided. While some of these subjects are of less importance than others, they all, we think, should be classified in some scheme of procedure, and the plan of dividing the code into parts will permit such classification. We find the following subjects now embraced in general statutes which we think should be included in the code.

Prohibiting jail liberties on executions for trespass on public lands.

Judgments to be in dollars and cents.

Insolvent debtors, including general assignments.

Rights and liabilities of executors and administrators, and actions by and against them.

- Marriage after divorce.
- Actions for detention of canal boats.
- Deposit of wills for safe keeping.
- Receivers.
- Drainage.
- Actions by State.
- Exemption of cemetery lands from execution.
- Corporations not to plead usury.
- Discharge of mortgages of record.
- Liens on vessels.
- Special administrators.
- Property exempt from execution.
- Mechanics' liens.
- Dissolution of religious societies.
- Sale of real estate of infants.
- Exemption from execution of stock of homestead company.
- Liens of railroad employes.
- Compensation of county judges holding courts in other counties.
- Evidence of existence of foreign corporations.
- Evidence of ordinances of municipal corporations.
- Comparison of disputed writings.
- Enforcement of contracts of lunatics.
- Proceedings for the collection of taxes.
- Stenographers in supreme court and court of appeals.
- Verification of pleadings in justices' courts.
- Actions by taxpayers.
- Relief of sureties and trustees.
- Evidence as to age of children.
- Proof of written instruments.
- Board of claims.
- Taxpayers' application for discharge of judgment debtor from imprisonment.
- Powers of surrogates.
- Proof of payment by or to municipal corporations.

Actions against municipal corporations.

Liens on monuments.

Care and custody of estates of persons sentenced to imprisonment for life.

Salary of crier and messenger in the court of appeals.

Actions to acquire title to real property.

Number of constables to attend courts.

Miscellaneous reporter.

Evidence of surveyors.

Compensation of justices assigned to hold court in the second judicial district.

Stenographers in certain counties.

Proceedings for naturalization.

Civil procedure may be classified under four general heads, namely, the commencement of the suit, the trial, the judgment, and the execution. If an appeal is provided, it is a mere adjunct, and not a necessary part of the system. The tribunal, the limitations of time for various proceedings, provisional remedies, and the differences in actions incident to the various subjects, are matters of detail, and are subsidiary to the principal problem of providing adequate machinery for the redress of private grievances. Whether there shall be an appeal is a matter of state favor, and not of abstract right. An appeal is a confession of weakness in the system, and an admission of defective administration in the tribunal of first instance. Most judicial systems, but not all, provide an appeal, or a rehearing, or a new trial in some form ; in most cases, by an appeal to a higher tribunal ; in others the defeated suitor is permitted to bring an action against the judge or magistrate for "falsifying justice," in which the merits of the original controversy are again considered. But an appeal is an admission that perfection of human judgment or of human conduct cannot fairly be expected, that the mistakes which must almost necessarily occur should be corrected, and that suitors should not be compelled to submit to the consequences of error



by the witnesses, or by the tribunal, or its officers, provided by the State to assist in the administration of justice. Whether there shall be one appeal or more, and how the controversy shall be again heard or reviewed, is also a matter of agreement or expediency. In this State, in some cases, there is only one review, and in others, like an appeal from justices' court, the controversy may be heard or reviewed four times.

In the early judicial systems there seems to have been no appeal or review provided, because in many instances the King himself was the judge, and there could be no higher authority to which an appeal could be made; but as legal systems developed, and legal forms and the administration of justice became more crystallized, and the redress of grievances, or the application of remedies, was distributed among different tribunals, it was found that a satisfactory administration required a central tribunal, with power to review the judgments of inferior and trial courts; so that in modern jurisprudence no well regulated system would be deemed complete which did not provide in some way for such a rehearing or review. This, however, does not affect the general correctness of the classification above suggested.

The commencement of the suit involves the consideration of the method of notifying the defendant of the claim made against him, and the length of time to be given before he shall be required to appear and defend. The practice has greatly varied in different systems, and even in the same system at different periods, although in all of them some kind of written notice has been required whenever the stage of customary law was passed, and a scheme of written law was established.

It has already been noted that our modern method of commencing actions in courts of record is based upon early Roman custom. The Twelve Tables open with this provision: "If the complainant summon the defendant before the magistrate, he shall go; if he do not go, the plaintiff may call a bystander to witness, and take him by force. If the defendant attempt eva-

sion or flight, the complainant may lay hands upon him." Here is a personal summons by the plaintiff himself. In other jurisdictions whose laws have come under our observation, prior to the adoption of our code of procedure in 1848, the defendant was summoned by process issued by the tribunal, or by a clerk acting under its general supervision. The code of 1848 changed this rule, and revived the ancient Roman custom of permitting the plaintiff himself to summon the defendant; but instead of doing so orally, he was required to serve a written summons, which might be signed by himself or by his attorney. By an amendment in 1870, the plaintiff was deprived of the right to sign the summons, and it could only be signed by his attorney. This was a recognition of the official character of the attorney, who is an officer of the court, and a paper signed by him should be as effectual within the limitation prescribed by law, as if it were signed by the clerk or any other officer of the court. In fact, under the former practice, where the process was issued nominally out of court by the clerk, it was still required to be signed by the attorney, so that the new practice only dispensed with the signature of the clerk, or any formal attestation by the court.

The code of 1876 revised the rule of the common law to the extent of requiring a summons to be "tested," but the simple regulation prescribed by the earlier code was soon restored.

In disposing of the issues by some form of trial, promptitude is an essential feature of procedure, and we think that an attempt should be made to improve the administration of justice by reducing the great delay now almost inevitable in obtaining the redress of private grievances. A resort to the courts in important cases frequently means an indefinite suspension of private rights, and sometimes of the title to property, while the suit is dragging itself slowly through our tribunals, amid the perplexities of a dilatory and unsystematic procedure.

During the pioneer conditions of society there was much greater celerity in the administration of justice than in the high-

ly-developed civilization of the present day. In early times in the colony, two days were considered sufficient to enable a defendant to appear and answer his adversary in the lower courts, and in courts of record he was only given eight days. We have extended the time to six days and twenty days, respectively, and by motions, adjournments and other extensions, the time may be further lengthened, and the plaintiff deprived of his right to the remedy which the law assumes to give. We believe the time can be materially shortened in many proceedings and substantial justice thereby promoted. The "law's delay" should be reduced to its lowest terms, and parties should not be subject to the annoyance of the obstructive practices which our law seems to permit. This is a subject to which we shall endeavor to give some attention when considering general revision.

In considering the subject of a possible revision of the code of civil procedure, we think that our first attention should be given to the matter of arrangement and classification. We are quite convinced that it is possible to make a more philosophical arrangement and a more scientific classification of the various subjects embraced in procedure. In making such mechanical re-arrangement, cognate subjects should be placed together, and the rules governing practice should be so separated, or classified, that certain departments of practice will be entirely independent, and not conflict with other provisions. It has been suggested that our present code of civil procedure is too large, and embraces too many subjects; and that certain portions of it should be taken out, and re-enacted as independent statutes, leaving for the code proper only that portion relating strictly to practice in courts of record. This suggestion involves the expediency of such a division and separation, and also the scientific accuracy of arrangement by which some portions of practice are included in one statute, and other portions in another. If we consider a code as a concise and systematic statement of the law upon a given subject, then a code of civil procedure should embrace all the law relating



to practice and procedure. We think it is manifestly inconsistent to treat proceedings in ordinary actions in courts of record as procedure, and numerous other proceedings as something else. Whatever requires the attention of a court in enforcing or protecting the rights of citizens, is procedure of some sort, and even though remote in its application, it is nevertheless entitled to be classified as procedure as much as if it were a summons or any other step in the progress of litigation.

With a view of attempting the preparation of a code of civil procedure which will embrace all the law affecting the subject, we have concluded to recommend the adoption of a code to be called a "Code of Civil Procedure," and embracing all the law relating to practice; the organization and jurisdiction of courts; the functions and fees of officers of courts, and of procedure in all actions and special proceedings. This will necessitate putting into the code several subjects and statutes which are now independent, but which clearly embrace matters of practice. Such a code cannot be condensed into a few sections. It must necessarily be somewhat extended, because it will embrace a large body of law. But to avoid the inconvenience resulting from an attempt to embrace in one act all procedure, we think it will be feasible to divide the code into parts, each to be independent of the others; the sections in each to be separately numbered, and each part to contain a separate index; and there should also be a general index of the whole code. By the separation of the code into parts in the manner indicated, different subjects may be separately treated, and each part may be separately published, so that lawyers and others who give special attention to particular branches of practice will have the rules relating thereto in a book by itself, and thus avoid the loss of time and annoyance caused by an examination of numerous extraneous and independent matters, which would be required if all the practice is embraced in one law. Each part may have an appropriate title, can be referred to readily in amendatory statutes, or in briefs

and opinions, and no confusion need result from such separation. By this arrangement the code can be published as a whole, with a general index, or it may be published in parts with appropriate annotations, if desired.

For a general classification, we suggest that Part 1 contain the provisions relating to the organization and jurisdiction of courts, including the board of claims, the functions and fees of officers of the courts, the statute of limitations, and other subsidiary matters relating to courts, but not forming a part of general practice. This part may embrace chapters 1, 2, 3 and 4 of the present code, and possibly article 2 of title 3 of chapter 10, regulating the mode of selecting, drawing and procuring the attendance of trial jurors in ordinary cases; general provisions relating to, and the sums allowed as fees, contained in titles 4 and 5 of chapter 21; the general definitions and rules of construction contained in title 1 of chapter 22, and numerous provisions properly embraced in this classification now scattered through various independent statutes.

Part 2 should embrace chapters 5 to 13 inclusive (except title 4 of chapter 10); title 12 of chapter 17, regulating supplementary proceedings; chapter 21, relating to costs (except titles 4 and 5), and also several subjects now included in independent statutes.

Part 3 should probably embrace chapters 14, 15, 16, 17 (except title 12); sections 3241 to 3246 inclusive; chapter 23, relating to proceedings for the condemnation of real property, and for the sale of real property of corporations, subject to rearrangement and distribution of portions of the chapter in other parts of the code; and also certain subjects now in general laws, such as receivers; drainage; certain actions by the State; insolvent debtors, including general assignments; proceedings to discharge mortgages of record; liens on vessels; mechanics' liens; dissolution of religious societies; sales of infants' real estate; liens of railroad employes, proceedings in the board of claims; procedure relative to naturalization, and several other special actions and proceedings not now included in the code.

Part 4 should embrace chapter 18, relating to practice in surrogate's courts, and we think it should also include most of the substantive law of wills, now contained in other statutes (including their execution and revocation, and the capacity to make a will); and also all of the law relating to the settlement of estates, including the descent and distribution of personal property.

While this classification will require the statement of substantive law in this part of the code, we think such an arrangement as we suggest will be found convenient in practice. In framing laws, consistency must sometimes yield to convenience, and we think that a surrogate's code should embrace all the law and practice incident to questions involved in the settlement of estates, so that active practitioners, as well as others who have occasion to consult this branch of the law, will not need to consult any other statute either for substantive law or procedure.

Part 5 should include chapters 19 and 20 of the present code, and some other similar provisions now in general statutes, so as to form a justices' court code; and it should be entirely independent of other parts of the code, so that it will be a complete scheme of procedure in the lower courts.

We think that this proposed division and arrangement will preserve the integrity of the code, and at the same time provide an ample and sufficiently elastic scheme of procedure, so distributed that parts not necessarily related can be used independently of the others.

To what extent actual revision should be undertaken, will be a subject of consideration after a satisfactory arrangement and classification are completed. We think that proceedings in various forms of action, as well as special proceedings, should be harmonized and made as nearly uniform as practicable, and that this result can be accomplished without seriously disturbing the general rules of practice now in force.

As already suggested, it is not practicable at this time to enter into detail as to various lines of revision which will be feasible



upon the basis of the proposed rearrangement. We hope to be able to submit our revision to the Legislature of 1897.

We have been advised to destroy the code of civil procedure, and upon its ruins construct an entirely new scheme of practice. We have also been advised to "let the code alone." Our experience in general practice convinces us that both of these views are too extreme, and that neither should be adopted. We are not in favor of any radical or revolutionary reform, and have, therefore, concluded to recommend what we think is a safe and conservative plan. How much we may profitably borrow from other past or present systems of procedure, cannot be determined until we begin the work of actual revision. The object of presenting a sketch of the development of procedure and the synopsis of the systems of practice in other States and countries, is to place before the public information perhaps not otherwise easily accessible, showing the striking similarity in all ages in the main features of procedure, and that the general principles of our practice are firmly established as a part of our institutions. Preserving these general principles, we shall endeavor to present such a scheme of procedure as will best conduce to the orderly and expeditious administration of justice; and in undertaking such a revision as we have suggested, we hope to continually keep in mind the maxim that "laws are of no avail without manners"; and that the best intended legislative provisions will have no beneficial effect unless they are congenial to the disposition and habits, and to the prejudices and approved immemorial usages of the people for whom they are enacted.

ALBANY, *December 11*, 1895.

CHARLES Z. LINCOLN,  
WILLIAM H. JOHNSON,  
A. JUDD NORTHRUP,

*Commissioners of Code Revision.*







# FIRST ANNUAL REPORT

OF THE

## BOARD OF MANAGERS

OF THE

# Rome State Custodial Asylum

AT ROME, N. Y.

For the Year Ending September 30, 1895.

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TRANSMITTED TO THE LEGISLATURE JANUARY, 1896.

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WYNKOOP HALLENBECK CRAWFORD CO.,

STATE PRINTERS,

ALBANY AND NEW YORK.

1896.



# STATE OF NEW YORK.

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No. 43.

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## IN ASSEMBLY,

JANUARY 30, 1896.

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### REPORT OF THE BOARD OF MANAGERS.

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*To the Legislature of the State of New York:*

Gentlemen.—In compliance with the statute organizing the Rome State Custodial Asylum, we respectfully submit to your consideration this, the first annual report of this asylum for the fiscal year ending September 30, 1895.

Very respectfully yours.

E. STUART WILLIAMS,  
*President.*

JIM STEVENS,  
*Vice-President.*

W. H. CLOHER, JR.

F. T. GORTON.

E. S. BATCHELLER.

E. H. CONANT.

W. C. WHEELER.

HOMER T. FOWLER.

J. MILLARD BRAINERD,

F. W. SPICER.

J. I. SAYLES.





# OFFICERS OF THE ASYLUM.

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## Managers.

HON. E. STUART WILLIAMS, <i>President</i> .....	<i>Rome.</i>
HON. JIM STEVENS, <i>Vice-President</i> .....	<i>Rome.</i>
J. MILLARD BRAINERD, <i>Secretary</i> .....	<i>Rome.</i>
HON. J. I. SAYLES.....	<i>Rome.</i>
WILLIAM C. WHEELER.....	<i>Rome.</i>
FREMONT W. SPICER .....	<i>Dexter.</i>
F. T. GORTON, M. D.....	<i>Waterville.</i>
EUGENE F. CONANT .....	<i>Camden.</i>
E. S. BATCHELLER .....	<i>Rome.</i>
HOMER T. FOWLER.....	<i>Rome.</i>
W. H. CLOHER, JR.....	<i>Utica.</i>

## Treasurer.

WILLIAM G. CORNWELL .....	<i>Rome.</i>
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## Resident Officers.

JOHN F. FITZ GERALD, M. D.....	<i>Superintendent.</i>
JAMES T. STONE.....	<i>Steward.</i>

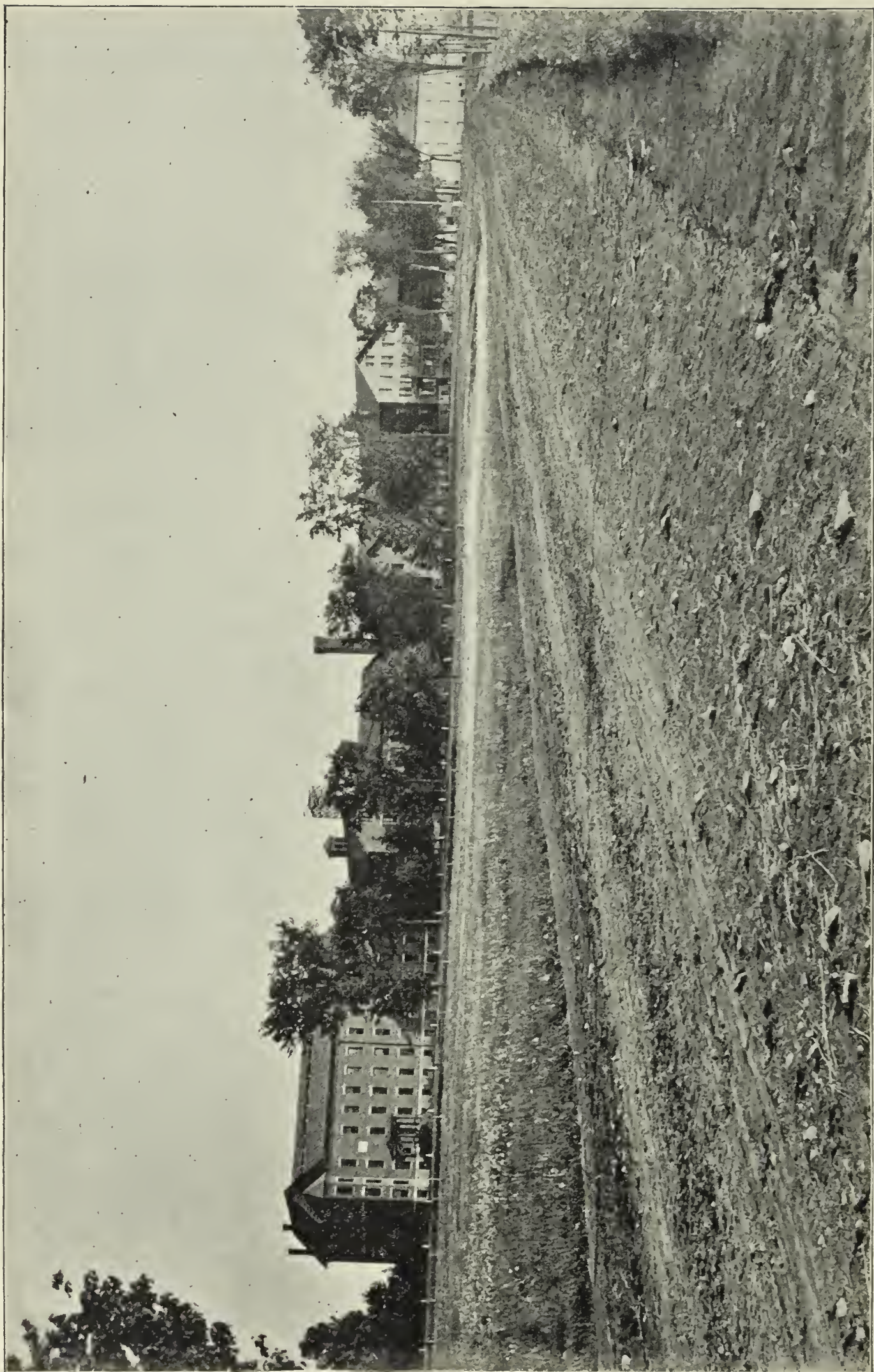
## Medical Interne.

CHARLES BERNSTEIN, M. D.











## Report of the Managers.

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*To the Legislature of the State of New York:*

Gentlemen.—The managers of the Rome State Custodial Asylum, in compliance with law, respectfully submit their first annual report of the asylum for the fiscal year ending September 30, 1895, together with the report of the treasurer and superintendent, for your consideration.

The treasurer's report shows that we have received from the State Treasurer and other sources, on account of

Maintenance. . . . .	\$29,346 03
Special appropriations. . . . .	18,395 75
Total. . . . .	<u>\$47,741 78</u>

That there was expended from this amount the sum of \$44,499 74  
Leaving in the treasurer's hands, October 1, 1895,

a balance on account of maintenance of. . . . .	248 98
And to the account of special funds, the sum of. . . . .	<u>2,993 06</u>

Vouchers, in detail, showing these expenditures, have been filed with the Comptroller of the State, as required by law. They have been audited by the auditing committee, and accounted for in the records of the institution.

The asylum has been visited by various members of the board at frequent intervals, and by a majority of the board at regular and special meetings.

Rules and regulations have been adopted governing the conduct of attendants and other employes.

The by-laws were formulated, adopted and then approved by the State Board of Charities.

The report of the superintendent shows that there were in the asylum October 1, 1894, a total of one hundred and ninety-nine



(199) inmates, that there were twenty-one (21) deaths and one (1) discharge during the year, and there were admitted twelve (12) persons, and that one hundred and eighty-nine (189) were in custody October 1, 1895.

The number of applicants for admission has been largely in excess of our accommodations. Within a few months we hope, however, to have ample room for at least one hundred and fifty (150) additional patients.

Contracts have been let for the boiler house, chimney stack, conduits, dynamo room, laundry building, steam heating, for plumbing and sewers, also for electric wiring.

The boiler house, chimney stack, conduits, dynamo room and laundry, are in process of construction and will be completed by next spring. The sewer is nearly completed and progress is being made in the steam heating, plumbing and electric wiring work.

We regret that the appropriation was not sufficient to cover all the necessary apparatus for completing the steam heating and ventilation, and we are therefore obliged to ask for an additional appropriation for that purpose.

The appropriation for electric lighting was not sufficient to complete the plant. The dynamo building was let to the lowest bidder for the sum of \$3,363, the electric wiring for \$4,498 and the engine for \$975, leaving a balance of \$164 for wiring that is not included in contract, and for advertising and inspection.

It is very necessary that another appropriation be made to cover the dynamos needed, as well as for additional wiring and fixtures. The asylum is at present lighted with kerosene, and the danger from fire can not be overestimated.

An amount will be asked for fire apparatus, as the institution is without adequate fire protection.

The asylum is without cold storage facilities, and in order that economical purchases of meats, butter, eggs, etc., may be made, it is necessary that we ask for a sum of money sufficient to cover the erection of an ice house, with suitable compartments in it, in which to store the above articles in large quantities.

At present we can buy meats in quantities for daily consumption only, and therefore can not take advantage of the lowest market price for large quantities.

The present highway from Rome to Lowell, passes directly through the asylum premises, within a few feet of the buildings devoted to the care of patients. It destroys the most desirable building site, and detracts considerably from the value of the property when its use is taken into consideration.

By reason of its proximity, we are compelled to confine the majority of our people to the wards and inclosures, methods which have long been abandoned in nearly all similar institutions, as obsolete and inhuman.

By changing this highway from the main point where it now enters the asylum grounds, coming from Lowell, so as to join the road from Verona at or near the cemetery, and from that point continuing the road on a curve from the asylum until it joins the main road to Rome at a point where that road leaves the asylum grounds, there will be a considerable addition to the value of the State property, as it will give the institution valuable building property now rendered useless to us by being occupied as highways.

The inmates may then have the privacy which their condition demands, and not be subject to the jest or ridicule of the passerby, and at the same time, have all the liberty consistent with their unfortunate condition.

We feel deeply on this subject and have had a new route surveyed, with but little doubt that you would come to our relief in this matter. It is not our intention to trespass on adjoining properties, as all the necessary changes can be made within the territory of the institution. In constructing a new highway, the labor of many of our inmates could be utilized.

We hope you will see the necessity of this change, and make an appropriation for this purpose.

The farm stable is situated immediately to the west of our ward buildings, as well as the piggeries, slaughter-house, henneries and out-buildings of this character. During a great portion of the



year, the prevailing winds from the west blow the odors from these buildings directly into our wards. The stench from them is at times almost intolerable, as well as being insanitary.

The site is one of the best for erecting a building for patients. We desire to move this stable to the southeast of the present buildings, where it will be more accessible from our farm, and at the same time remove its objectionable features from our ward buildings. An appropriation will be asked for this purpose.

The wear and tear of thirty-five years on the building formerly used for a county house, has been such that in its present condition it is barely habitable. In order to be used even temporarily it is necessary that extensive repairs be made in it.

The basement of the present buildings has been given up in a great measure to the steam, and other pipes. We understand that an appropriation for the purpose of erecting a new kitchen building, which would include associate dining-rooms, store-rooms and bakery, with sleeping rooms above for outside employes, was asked for last winter, with the approval of the State Board of Charities. We repeat this request, believing it to be inhuman to compel our employes and patients to work and live for hours daily in a damp basement, which is not adequately lighted, and is poorly ventilated. It is a relic of county care methods, and has been condemned by all persons who are interested in the welfare of the State wards.

Mr. Perry, the State Architect, has made a careful estimate as to the cost of constructing such a building, and it is imperatively needed, if this asylum is to properly care for those committed to its care.

In view of the number of the unteachable idiots and imbeciles in the county houses of the State, whom the Legislature contemplated that this asylum should care for, we feel it incumbent on us, as State officers, and consistent with the duty imposed on us by statute, that we ask that a sum sufficient for erecting and equipping buildings sufficient to care for 200 additional inmates be appropriated for that purpose.

Additional appropriations are asked for laundry machinery, for



painting and repairs to present buildings, for coal sheds, for farm stock and utensils, for medical and surgical appliances.

We ask that the same appropriation be made for maintenance as last year, as we feel convinced that that amount will cover all the needs of the institution for the ensuing year.

A resume of the foregoing shows the needs of the asylum for the coming year to be as follows:

An administration building would cost to erect and finish. . . . .	\$32,060
Two substantial two-story and basement brick buildings for the accommodation of inmates, each to contain 105 persons, to be of fire-proof construction; \$68,250 each, or a total of. . . . .	136,500
A kitchen building with associate dining-rooms for inmates and two dining-rooms for attendants, with dormitories over the same and at opposite end of the kitchen building a bakery, bread-room, pantry, refrigerator, store-rooms, scullery and a dining-room for outside help. This section of the building will be two stories high and afford accommodations for about twenty-five people. . . . .	67,223
To complete steam-heating and ventilation. . . . .	10,280
For completion of electric light plant. . . . .	5,000
For ice-house and cold-storage building, and apparatus. . . . .	7,500
For changing highway and constructing new roads through property. . . . .	7,500
For moving stable and constructing foundation for it..	5,000
For painting and repairing the former county house..	2,000
For additional laundry machinery. . . . .	2,500
For painting, repairing and betterments to present buildings. . . . .	6,000
For coal sheds. . . . .	2,500
For farm stock and utensils. . . . .	1,000
For medical and surgical appliances. . . . .	300
For furniture. . . . .	3,000

For fire apparatus. . . . .	\$ 1,000
For fire escapes. . . . .	500
	<hr/>
Total. . . . .	\$289,863
	<hr/>
Maintenance. . . . .	\$75,000
	<hr/>

The foregoing items are essential for the proper equipment of the asylum, and knowing, as we do, that the entire State is in sympathy with the institution and its purpose, we feel confident that the sums asked for, will be granted.

We desire to thank the Legislature and his excellency, the Governor, for the generous treatment received by the asylum at their hands, and trust there is no reason why it should not continue to receive their fostering care.

In concluding this, the first annual report of the present board of managers, it is only proper that we should take this occasion to commend the faithfulness, zeal and great interest shown by our superintendent, Dr. John F. Fitz Gerald, in his efforts to properly organize and care for the unfortunates committed to this institution. His duties have been more exacting because of the condition of the buildings, the necessity of preparing for, and recommending the construction of new, as well as repairing the old, all in the face of circumstances that might well have discouraged a man who had less at heart the welfare of those entrusted to him.

To the assistant physician, the steward and other officers, recognition is due for the faithful manner in which they have discharged their several duties.

Respectfully submitted.

E. STUART WILLIAMS.  
JIM STEVENS.  
W. H. CLOHER.  
F. T. GORTON.  
E. S. BATCHELLER.  
E. H. CONANT.  
W. C. WHEELER.  
HOMER T. FOWLER.  
J. MILLARD BRAINERD.  
F. W. SPICER.  
J. I. SAYLES.

*December 10, 1895.*

# Report of the Treasurer.

---

*To the Managers of the Rome State Custodial Asylum:*

Gentlemen.—The Treasurer of the Rome State Custodial Asylum respectfully submits the following statement of his receipts and expenditures for the last nine months of the fiscal year ending September 30, 1895.

## GENERAL FUND.

1895.

Jan.	Receipts from Comptroller . . . . .	\$3,179 76
	Receipts from superintendent . . . . .	267 22
		<hr/>
		\$3,446 98

## DISBURSEMENTS.

On vouchers Nos. 3 to 87, inclusive . . . . .	3,343 98
	<hr/>
Balance . . . . .	\$103 00
	<hr/> <hr/>

Feb.	Balance on hand from last month . . . . .	\$103 00
	Receipts from Comptroller . . . . .	1,100 97
		<hr/>
		\$1,203 97

## DISBURSEMENTS.

On vouchers Nos. 3 to 37, inclusive . . . . .	1,142 87
	<hr/>
Balance . . . . .	\$61 10
	<hr/> <hr/>

March	Balance on hand from last month . . . . .	\$61 10
	Receipts from Comptroller . . . . .	1,923 63
		<hr/>
		\$1,984 73



## DISBURSEMENTS.

March	On vouchers Nos. 3 to 65, inclusive.....	\$1,950 43	
	Balance .....	\$34 30	
April	Balance on hand from last month .....	\$34 30	
	Receipts from Comptroller.....	\$3,840 18	
			\$3,874 48

## DISBURSEMENTS.

	On vouchers Nos. 1 to 62, inclusive.....	3,277 92	
	Balance . . . . .	\$596 56	
May	Balance on hand from last month .....	\$596 56	
	Receipts from Comptroller.....	4,274 22	
	Receipts from sale of old materials .....	20 79	
	Receipts from sale of farm and garden produce .....	9 37	
			\$4,900 94

## DISBURSEMENTS.

	On vouchers Nos. 1 to 83, inclusive.....	3,750 56	
	Balance .....	\$1,150 38	
June	Balance on hand from last month .....	\$1,150 38	
	Receipts from Comptroller.....	3,654 00	
	Receipts from sale of farm and garden produce .....	32 62	
			\$4,837 00

## DISBURSEMENTS.

	On vouchers Nos. 1 to 76, 84 to 86, inclusive,	3,916 93	
	Balance .....	\$920 07	

July	Balance on hand from last month . . . . .	\$920 07	
	Receipts from Comptroller . . . . .	3,077 53	
	Receipts from sale of old materials . . . . .	14 35	
	Receipts from sale of farm and garden produce . . . . .	109 57	
	Receipts from reimbursing patients . . . . .	130 00	
		<hr/>	\$4,251 52

DISBURSEMENTS.

On vouchers Nos. 1 to 58, inclusive . . . . .	3,594 66
Balance . . . . .	<hr/> \$656 86 <hr/>

1895.

Aug.	Balance on hand from last month	\$656 86	
	Receipts from Comptroller . . . . .	3,900 00	
	Receipts from sale of old materials . . . . .	13 26	
	Receipts from reimbursing patients . . . . .	217 86	
	Receipts from sale of farm and garden produce . . . . .	151 28	
		<hr/>	\$4,939 26

DISBURSEMENTS.

On vouchers Nos. 1 to 66, inclusive . . . . .	3,683 63
Balance . . . . .	<hr/> \$1,255 63 <hr/>

Sept.	Balance on hand from last month . . . . .	\$1,255 63	
	Receipts from Comptroller . . . . .	3,215 50	
	Receipts from sale of old materials . . . . .	3 00	

Sept.	Receipts from sale of farm and garden produce .....	\$210 92	
		<hr/>	\$4,685 05

## DISBURSEMENTS.

On vouchers Nos. 1 to 62, inclusive.....	4,436 07
Balance on hand.....	\$248 98
	<hr/> <hr/>

## SUMMMARY GENERAL FUND.

Received from the Comptroller for the nine months of the fiscal year ending September 30th, 1895.....	\$28,165 79
Received from superintendent.....	\$267 22
Received from sale of old materials.....	51 40
Received from sale of farm and garden produce.....	513 76
Received from reimbursing patients....	347 86
	<hr/> 1,180 24
Total.....	\$29,346 03
Paid vouchers from January to Septem- ber, inclusive. . . . .	29,097 05
	<hr/>
Balance on hand October 1, 1895.....	\$248 98
	<hr/> <hr/>

## SPECIAL FUNDS.

## FURNITURE FOR WARDS AND ADMINISTRATION BUILDINGS.

(Chap. 358, Laws 1894.)

Received from Comptroller.....	\$12,604 59
Disbursements on vouchers Nos. 26 to 44, 46 to 48, 50 to 65, 68 to 70, 73 to 77, 80 to 92, 94 to 97, 99 to 111. . . . .	10,794 82
	<hr/>
Balance on hand October 1, 1895.....	\$1,809 77
	<hr/> <hr/>



FARM STOCK AND UTENSILS.

(Chap. 358, Laws 1894.)

Received from Comptroller. . . . .	\$2,499 90
Disbursements on vouchers Nos. 5 to 19, 25, 46, 49, 66, 67, 71, 72, 78, 79, 93, 98. . . . .	1,791 42
	<hr/>
Balance on hand October 1, 1895. . . . .	\$708 48
	<hr/> <hr/>

ELECTRIC LIGHTING.

(Chap. 358, Laws 1894.)

Received from Comptroller. . . . .	\$98 75
	<hr/>
Balance on hand October 1, 1895. . . . .	\$98 75
	<hr/> <hr/>

PLUMBING.

(Chap. 358, Laws 1894.)

Received from Comptroller. . . . .	\$1,254 80
Disbursements on vouchers Nos. 14, 16, 19, 21, 28, 30 and 31. . . . .	1,211 48
	<hr/>
Balance on hand October 1, 1895. . . . .	\$43 32
	<hr/> <hr/>

INTERIOR REPAIRS AND PAINTING.

(Chap. 932, Laws 1895.)

Received from Comptroller. . . . .	\$774 75
Disbursements on vouchers Nos. 9, 10, 12, 13, 15, 22, 27 to 30, 32 and 40. . . . .	722 77
	<hr/>
Balance on hand October, 1895. . . . .	\$51 98
	<hr/> <hr/>

FARM STOCK, IMPLEMENTS, ETC.

(Chap. 932, Laws 1895.)

Received from Comptroller. . . . .	\$725 70
Disbursements on vouchers Nos. 1 to 3, 5 to 8, 10, 11, 16, 17, 23, 24, 26, 33, 34, 36, 39. . . . .	720 47
	<hr/>
Balance on hand October 1, 1895. . . . .	\$5 23
	<hr/> <hr/>

## FURNISHING.

(Chap. 932, Laws 1895.)

Received from Comptroller.....	\$56 10
Disbursements on vouchers Nos. 4 and 38.....	56 10

## FENCING.

Received from Comptroller.....	\$350 50
Disbursements on vouchers Nos. 25 and 27.....	74 97

Balance on hand October 1, 1895.....	\$275 53
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## BOILER HOUSE, CHIMNEY, CONDUITS, ETC.

(Chap. 932, Laws 1895.)

Received from Comptroller.....	\$30 66
Disbursed on vouchers Nos. 14 and 18.....	30 66

## SUMMARY OF SPECIAL FUND.

Received from Comptroller.....	\$18,395 75
Disbursements. . . . .	15,402 69

Balance on hand October 1, 1895.....	\$2,993 06
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## SUMMARY OF CASH BALANCES.

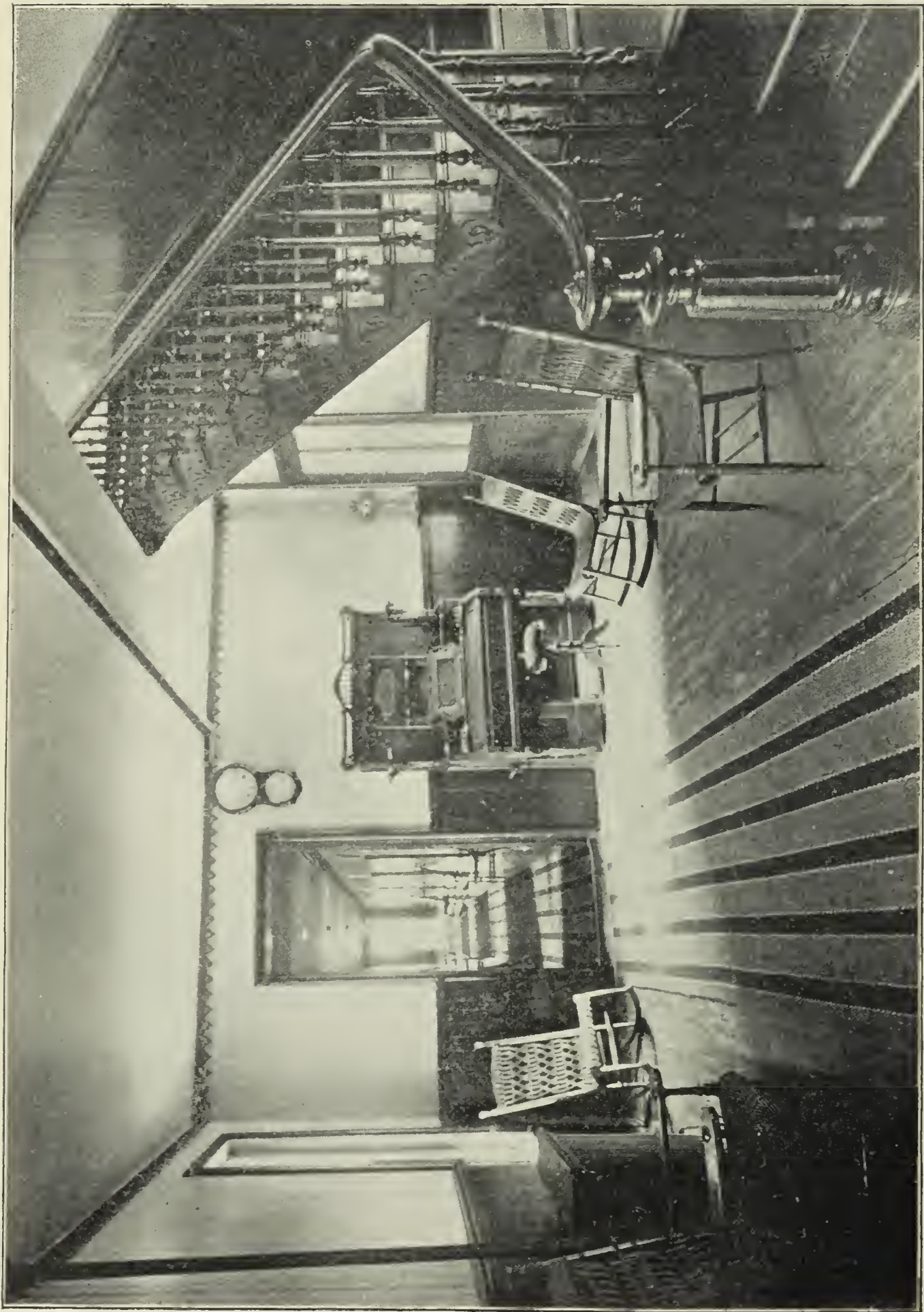
General fund. . . . .	\$248 98
Furniture for wards and administration building..	1,809 77
Farm stock and utensils (1894).....	708 48
Electric lighting. . . . .	98 75
Plumbing. . . . .	43 32
Interior repairs and painting.....	51 98
Farm stock, implements, etc. (1895).....	5 23
Fencing. . . . .	275 53

Total cash on hand October 1, 1895.....	\$3,242 04
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(Signed.) . WILLIAM G. CORNWELL,  
*Treasurer.*







## Report of the Superintendent.

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*To the Board of Managers:*

Gentlemen.—In conformity with the by-laws of the Rome State Custodial Asylum, I submit to you this, the first annual report for the fiscal year ending September 30, 1895.

The movement of population during the fiscal year has been as follows:

	Men.	Women.	Total
Inmates in asylum October 1, 1894.....	109	90	199
Admitted during year.....	9	3	12
	—	—	—
Total number in custody during year. ....	118	93	211
	==	==	==

Daily average population: Men, 110.6; women, 88.1; total, 198.7.

	Men.	Women,	Total
Discharged during year as unim- proved. ....	1	....	1
Died. ....	12	9	21
	—	—	—
Whole number discharged during year. ....	13	9	22
	==	==	==
Remaining October 1, 1895.....	105	84	189
Capacity of present building when com- pleted. ....	180	170	350
		==	==

Of the 199 remaining in custody at the beginning of the present fiscal year, 102 men and eighty-nine women — a total of 191 — were admitted from Oneida county insane asylum and from the State hospitals for the insane, to this asylum, by order of the State Commission in Lunacy. Six men and one woman were admitted



from their homes, and one man was admitted from a county house.

Of the twelve persons admitted during the present year, six men and one woman were admitted from home, two men and one woman were admitted from county houses and one man and one woman were admitted from State hospitals for the insane on an order from the State Commission in Lunacy.

The death rate is accounted for by the fact that sixteen, or more than seventy-eight per cent. of those who died were in a very feeble condition at time of admission. Seven, or thirty-three and one-third per cent. of total death, were from phthisis; three died in the condition of status epilepticus; four as a result of exhaustion; two died from organic disease of the heart; one each died from organic brain disease, pneumonia, general paresis, tubercular enteritis and cerebral hemorrhage. Sixteen of those who died were admitted from State hospitals for the insane. The mental condition of those who died shows that more than seventy-five per cent. were insane at time of death.

### Applications.

We have received one hundred and twenty-two applications for admission since December, 1894. Much to our regret, we have been compelled to refuse these applications, owing to the insanitary condition of the plumbing of the asylum, and the meagre facilities we possess for caring for even the number we now have. An examination and report was made of the plumbing and sewage by Henri D. Dickinson, B. Sc., on the recommendation of the State Commission in Lunacy, and Hon. Isaac G. Perry, State architect. (The report, which speaks for itself, will be found in the appendix.)

Among the applications were many for children from 7 to 16 years of age, for whom there are no accommodations in the asylum. Considering that the State has assumed the responsibility for caring for all this most pitiable class of its dependents, and that no provision has been made by it for children of this class, unless they are teachable, it would seem advisable to request of



the Legislature, during its next session, a sufficient amount to care for at least one hundred children. They could be cared for very comfortably in one building adapted for the purpose.

Table six in the appendix, shows that 27,931 days' labor have been done during the year, and that an average of seventy-six of the inmates have been employed daily on the wards, in the dining-rooms, kitchen, laundry, bakery, sewing-room and farm.

It is a matter of regret that we have no apparatus for making brooms, mats, brushes, mattresses, boots, shoes, slippers and clothing, and I would respectfully suggest that you ask the Legislature for an appropriation for that purpose. In an institution of this character, it is absolutely essential to the welfare of its inmates, that they be suitably employed, otherwise, there is no class so apt to become mischievous, troublesome, restless, and so prone to fall into bad habits. Much may be done in this line to inculcate habits of industry and cleanliness by conveying to them, by means of what they accomplish, their importance to themselves, the institution, and the public.

I refer in this connection particularly to the higher grades of imbeciles. The old laundry could easily be fitted up for that purpose at but little expense.

It is desirable that classes be formed in physical culture both for men and women. There is no suitable apartment for this purpose here at the present time, and I would recommend that one of the large day rooms in the west building be fitted up for that purpose. It could, at the same time, be temporarily used for an entertainment hall.

It would require at least \$500 to equip such a room for such purposes.

Religious services have been held every Sunday when the weather permitted during the summer and fall. During cold weather we have been obliged to discontinue services, owing to the fact that the contract work in progress in the west building has necessitated the shutting off of the steam supply; and the holding of services, under the circumstances, would have endangered the health of our inmates and employes.

During the past summer and fall we have taken advantage of every opportunity to entertain and amuse our people. They have taken long walks into the country when the weather permitted, have enjoyed games of ball after the harvest time, have attended Ringling Brothers' circus and the Oneida County fair, and I take this opportunity of expressing my thanks and appreciation of the kindness of the Ringling Brothers and the officers of the Oneida County Agricultural Society, in permitting free access, to the circus and fair respectively, to our people.

Should provision be made by the Legislature for equipping an entertainment hall in the west building, our inmates could have the benefit of dramatic and musical entertainments and dances. We have been fortunate several times in securing local and other talent in entertainments of this character, and afforded the inmates considerable pleasure.

Decoration Day and Fourth of July were spent in an appropriate manner, and I desire to express my appreciation of the courtesy extended by the Rome Cyclers to our people, on that day, in allowing them free access to their exercises. The Comptroller was generous in allowing the amount estimated for celebrating the national holiday, and, as a result, one of the most enjoyable evenings in the year was passed.

Our employes are so few in number that, up to the present time, we have been unable to organize an orchestra or band, though we have succeeded in forming a good choir who assist during religious services, and at other times sing on the wards to the evident enjoyment of the patients.

It is necessary that there be a telephone system between the different buildings and from the various wards to the office, so that in an emergency any part of the institution could be reached at once. It would also save considerable unnecessary walking through the wards, and from building to building.

There was not sufficient money appropriated for the steam heating and ventilation. All efforts to ventilate the present wards had to be abandoned for lack of funds. They are foul from the use of years, and should, from every standpoint of



modern hygiene, be ventilated. I am satisfied they can be thoroughly ventilated for a sum of \$2,500.

Only one boiler could be purchased after putting the heating surface in all the ward buildings. In order that a proper degree of heat be maintained throughout the buildings, and to furnish high pressure for the laundry and kitchens, at least two more boilers would be required.

It is quite essential that another appropriation be asked to complete the electric lighting, and I would suggest that the plant in the dynamo-room be in duplicate, so that in case an accident should occur to one dynamo, the other would be in reserve.

We have been obliged, during the past year, to house our ice in an old shed, which is in a dilapidated condition.

We have no place whatever in which to keep butter, eggs, meat, fruit and other perishable articles, beyond the daily amount used, with a result that more or less material is wasted, besides being compelled to purchase in small quantities at a higher price. It is requisite that the institution should have a modern ice-house, in which there would be compartments for caring for larger quantities of perishable goods.

Anyone familiar with the topography of the asylum property, will realize the disadvantages we are laboring under when they consider the location of the present highways. In order that the institution should carry out its object (that is, the care and custody of its inmates) in an enlightened manner, it is obligatory that they be given the highest measure of personal liberty consistent with their condition. They are not committed as prisoners guilty of a felony or as especially dangerous to the community.

As we are situated now, our people are confined a greater part of the time, owing to the fact that the buildings are located directly on the highways, and if at large, they are subject to insults from the evil-disposed. Not only that, but it is dangerous for them to be at large, owing to the frequent passage of vehicles. If the highways could be moved from 800 to 1,000 feet away, our people could be allowed much more liberty, and the institution



would not be subject to unnecessary intrusion. I consider it of the utmost importance to the welfare of the asylum that the proposed change be brought about, and urgently recommend that you use your best endeavors to that end.

The west building, or former county house, will have to be occupied temporarily for the care of the inmates. It will require new flooring throughout, as well as new ceilings. The walls will have to be refinished. I would suggest that the least possible money be expended for these purposes. The building has been inspected by the Hon. Isaac G. Perry, the State Architect, and in a report made by him to the chairman of the ways and means committee he expresses himself as follows:

“The building shown and marked on the plans as the old almshouse building, is ill-adapted for hospital purposes, and is in a dilapidated condition, and it would be a waste of money to rebuild it. It should be torn down and a new structure two stories high built instead.”

Notwithstanding the above report, it is necessary for us to occupy the building temporarily, and until other provision is made, and some repairs should be made to it.

The farm stable should be moved to the southeast of the present buildings. It occupies the most sightly position about the institution, directly to the west of the west building.

Immediately in connection with the stable are the cow yard, the piggeries, slaughter-house, etc., from which offensive odors are constantly emanating. The prevailing winds are from the west, and as a result the wards are contaminated and far from inviting, the atmosphere being saturated with impure odors.

By moving this building as suggested, the stable would not be so easy of access to the public, and yet could be easily reached from all parts of the farm.

The placing of the new heating surface in buildings A and B practically renders their basement unfit for use, though that was hardly necessary to the accomplishment of that condition.

The ceilings are low, the flooring is laid on the earth, there is no method of proper ventilation, and for months each year the

walls are reeking with moisture, rendering the basements detrimental to the health of our employes and inmates.

By the construction of the building recommended by Mr. Perry for kitchen and associate dining-rooms, we could abandon the basements for every purpose except their legitimate one, that of containing the heating surface, the water and sewer pipes and the electric wiring.

Such a building is needed also to provide suitable quarters for the employes other than those in care of the inmates.

It provides in addition, a new bakery, thus doing away with the old one in the west building, which is in danger of falling in at any time, as well as a suitable store-room for groceries and provisions, dry goods and the large number of articles necessary in an institution of this character.

The new laundry will probably be ready for occupancy by next May, and it is essential that additional machinery be provided to do the work required. The estimate submitted to the Legislature last winter was obtained from the experience of other institutions of the State, and it is to be regretted that the whole amount was not appropriated. We will need at least \$2,500 to complete the plant.

The buildings A and B, which are substantial in structure, have been neglected for some years past, and although comparatively modern in construction, they have the appearance in the interior of being old buildings. The ceilings are decayed in many places. In others, the lathing is loose and the plaster has fallen down in a number of places.

The flooring needs renewing on all the wards.

Every part of these two buildings needs to be repainted.

Mr. Perry has estimated that it will require \$6,000 to accomplish these results.

The fund appropriated last year to construct the boiler house, chimney stack, coal sheds and conduits, was sufficient to complete only the boiler house, conduits and chimney stack, so that the asylum has no provision for housing coal. The location of the asylum makes it necessary that we keep a good supply of coal on



hand, as often for days in winter, the roads are impassible, and the institution would be in a critical condition should there not be a sufficient amount of coal stored to meet such emergencies.. Sheds should be provided to hold at least a thousand tons of coal.

I have mentioned the necessity for constructing a building to provide accommodations for 100 children.

We are receiving almost daily, letters from different parts of the State, asking and beseeching that we receive more inmates.

The constantly growing demands upon our accommodations require that a suitable building be constructed to care for 100 adults.

These two buildings could be erected for an amount not to exceed a per capita cost of \$550 for each inmate, as well as equipping them in a satisfactory manner. There are several hundred of this class now in the different county houses.

The superintendents of the poor of the majority of the counties are applying for relief, admitting that they have not the proper facilities for giving these unfortunates suitable care.

The Syracuse Institution for Feeble-Minded Children is overcrowded by the large number of the unteachable class which they have accumulated, rather than throw them back upon the county houses.

The board of trustees of that institution expressed themselves as follows, in their last report to the Legislature on this subject:

“ At the last session of the Legislature, both of these objects were accomplished, acts having been passed establishing an asylum for unteachables at Rome, N. Y., and a colony for epileptics at Sonyea, N. Y. While the appropriations made for these institutions were inadequate to extend such immediate relief as would emphasize the distinctive purposes of this institution, they were sufficient to create the existence of such institutions, which, in time, will doubtless afford some measure of the relief desired here. And better still, they will render care and accommodation for those two classes of the feeble-minded, which have long been most deplorably neglected by the State.



“ We sincerely hope that the incoming Legislature will extend a liberal hand to these newly-created institutions and establish them in such a position that the large degree of usefulness for which they are designed, may be accomplished speedily and with certainty.”

It seems needless to say that every State and county charitable organization in the State is watching anxiously for the enlargement of this institution. There is no class of the State's wards who so need its fostering care.

As the institution develops, its needs grow with it. Within the present year, we will have a population of nearly three hundred and fifty, or almost double our present numbers.

We will require a large number of cows to provide milk for such a number. In addition, we will require more horses and vehicles for the transportation of coal, groceries and other commodities. I believe the sum of \$1,000 will cover these items.

No institution of this character should be without proper appliances for any emergency that may arise among its inmates. We have but a meagre number of medical and surgical instruments, and I would recommend that an appropriation be asked of \$300 to purchase such instruments, and some standard medical works bearing on the class for which the asylum was organized.

The reports of the steward and supervisor which follow, show what has been accomplished in their respective departments.

The asylum is without sufficient fire protection. We possess one hose cart, with about 500 feet of two and one-half inch fire hose. Being in a great measure dependent on our resources in case of fire, it becomes our duty to see that every precaution be taken to prevent any disastrous conflagration, and I would suggest that a chemical engine be purchased and that 2,000 feet of additional hose be purchased.

The sum of \$1,000 will cover these items.

Two fire escapes should also be erected, one for the present east building, and one for the south extension. The sum of \$500 will cover this expense.

We are to be congratulated that during the past year we have had no accident of serious character, and no epidemic of disease. The latter is a remarkable fact, when we consider the condition of the plumbing throughout the institution.

The asylum has been frequently visited by people from different parts of the state. Members of the State Board of Charities have been particularly attentive to the asylum, and among those who have visited it in an official capacity, are Dr. Stoddard and Hon. Peter Walrath of the committee on feeble-minded institutions, Dr. Stephen Smith, Hon. Robert McCarthy, Mrs. Beekman de Peyster and Dr. Charles S. Hoyt.

It has also been visited by a number of physicians who are interested in the study of types of degeneracy.

Members of your honorable board have been more than interested in the welfare of the institution and its inmates, and have manifested it, by your many visits to its wards.

We have been very fortunate in the character of our employes. They have been faithful to their duties, often of a most trying nature. It is to be regretted that the State does not make provision either to lessen the length of the daily service of the attendants, by employing more of them, or to give them an adequate compensation for the services rendered.

I desire to express to the officers my appreciation of the manner in which they have performed their arduous duties.

In closing this report I wish to convey to the managers, my deep sense of obligation for their advice and assistance, and to thank them for the cordial support and encouragement given me in the performance of my duties, as the executive officer of this asylum.

Very respectfully yours.

(Signed.) JOHN F. FITZ GERALD.

*Superintendent.*







## Report of the Steward.

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### Products of Farm and Garden.

Potatoes, 3,649 bushels, twenty cents.....	\$737 80
Dried peas, 6½ bushels, one dollar.....	6 50
Oats, 877 bushels, twenty-five cents.....	219 25
Straw, 28 tons, eight dollars.....	224 00
Winter squash, 1,200 pounds, one cent.....	12 00
Beets, 1,000 bushels, twenty cents.....	200 00
Turnips, 258 bushels, fifteen cents.....	38 70
Ears field corn, 655 bushels, twenty-five cents.....	163 75
Ears sweet corn, 275 bushels, twenty-five cents.....	68 75
Cabbage, 4,500 heads, two cents.....	90 00
Hay, 165 tons, eleven dollars .....	1,815 00
Pumpkins, 30 loads, one dollar.....	30 00
Onions, 110 bushels, forty cents.....	44 00
Onions, 541 bunches, one cent.....	5 41
Cauliflower, 300 heads, five cents.....	15 00
Celery, 1,950 heads, one and a half cents.....	29 25
Dried beans, 138 bushels, one dollar and fifty cents.....	207 00
String beans, 25½ bushels, one dollar.....	25 50
Peppers, 44, one cent.....	44
Grapes, 210 pounds, two cents.....	4 20
Melons, 575, four cents.....	23 00
Cucumbers, 10,501, one-half cent.....	52 50
Pears, 15½ bushels, sixty cents.....	9 30
Tomatoes, 61 bushels, forty cents.....	24 40
Apples, 16 bushels, forty cents.....	6 40
Radishes, 320 bunches, one cent.....	3 20
Green peas, 46½ bushels, one dollar.....	46 50
Summer squash, 524, two cents.....	10 48
Asparagus, 196 bunches, four cents.....	7 84
Pie plant, 607 pounds, one cent.....	6 07

Spinach, 10½ bushels, thirty-five cents.....	\$3 68
Currants, 257 quarts, four cents.....	10 28
Lettuce, 1,880 heads, one cent.....	18 80
Raspberries, 140 quarts, five cents.....	7 00
Summer savory, 24 bunches, five cents.....	1 20
Sage, 40 bunches, five cents.....	2 00
Corn stalks, 55 tons, two dollars and fifty cents.....	137 50
Ears sweet corn, 508½ dozen, six cents.....	30 51
Salsify, 5 bushels, one dollar .....	5 00
Milk, 67 gallons, twelve cents.....	8 04
	<hr/>
	\$4,350 25
	<hr/> <hr/>

### Value of Stock on Hand.

Horses, 6.....	\$800 00
Cows, 2.....	60 00
Pigs, 12....	42 00
	<hr/>
	\$902 00
	<hr/> <hr/>

(Signed),

JAMES T. STONE,  
*Steward.*



# Report of the Supervisor.

JANUARY 1, 1895, TO OCTOBER 1, 1895.

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## Articles Made.—New.

Sheets .....	1,157
Dresses .....	100
Aprons.....	211
Pillow cases.....	660
Drawers .....	177
Chemise .....	164
Towels .....	522
Skirts .....	38
Burial robes.....	12
Men's pants.....	26
Men's waists.....	26
Bed pads.....	6
Caps .....	8
Stockings .....	12
Curtains.....	4
Furniture covers.....	14
Suspenders.....	27
Coffee bags.....	2
Planting bags.....	7
Base ball bags.....	4
Laundry bags.....	2
Bibs.....	33
Blankets .....	660
Bed spreads.....	278
Napkins .....	120
Table cloths.....	53

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## Articles Repaired.

Pants .....	387
Shirts .....	330
Drawers .....	118
Undershirts. ....	196
Vests.....	105
Coats.....	120
Stockings .....	117
Blankets .....	5
Sheets .....	1
Pillow cases.....	1
Aprons .....	4
Men's waists.....	8

(Signed.)

ELIZABETH ESENWINE,  
*Supervisor.*

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# STATISTICAL TABLES.

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[Assembly, No. 43.]

5





# STATISTICAL TABLES.

TABLE No. 1.

Showing Movement of Population during the Year Ending September 30, 1895.

	Men.	Women.	Total.
Inmates in asylum October 1, 1894.....	109	90	199
Admitted during year.....	9	3	12
Total number in custody during year.	118	93	211
Daily average population.....	110.6	88.1	198.7
Discharged during year as improved....	1	.....	1
Died .....	12	9	21
Whole number discharged during year.....	13	9	22
Remaining October 1, 1895.....	105	84	189
Capacity of present buildings when completed .....	180	170	350

TABLE No. 2.

Date of opening, May 1, 1894.

Total acreage of grounds and building.....	350½
Actual cost of real estate, including buildings.....	\$209,744 18
Value of personal property.....	20,419 13
Acreage under cultivation.....	261
Capacity of institution October 1, 1895.....	350
Daily average number of inmates during the year ending September 30, 1895.....	198.7

## Receipts during the year:

From State treasury for maintenance on estimates 1 to 12, inclusive.....	\$32,274 28
From private patients.....	377 48
From all other sources.....	535 54

Total receipts during year for maintenance.....	<u>\$33,187 30</u>
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Total receipts during year for extraordinary improvements under special appropriations, including balance remaining on hand October 1, 1894.....	\$19,816 47
Surplus of maintenance fund on hand October 1, 1895...	<u>248 98</u>

Total disbursements during the year for extraordinary improvements under legislative appropriations.....	\$16,823 41
Balance remaining on hand October 1, 1895.....	<u>2,993 06</u>

## Maximum rate of wages paid attendants :

Men .....	\$30 00
Women.....	<u>20 00</u>

## Minimum rate of wages paid attendants:

Men .....	\$20 00
Women .....	<u>14 00</u>

Proportion of attendants to average daily population..	1-10
Estimated value of farm and garden products during the year ., .....	\$4,350 25
Estimated value of articles made or manufactured by inmates during the year.....	<u>*</u>

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\* No appreciable value.



TABLE NO. 3.

Showing assigned causes of mental defect in cases admitted during the year ending September 30, 1895, and since May 1, 1894.

	DURING YEAR ENDING SEPTEMBER 30, 1895.			SINCE MAY 1, 1894.		
	Men.	Women.	Total.	Men.	Women.	Total.
Epilepsy.....	1	....	1	12	6	18
Intemperance .....	....	....	....	5	....	5
Masturbation .....	....	....	....	6	....	6
Congenital .....	1	2	3	19	19	38
Overwork.....	....	....	....	1	1	2
Heredity .....	....	....	....	5	5	10
Hernia .....	....	....	....	1	....	1
Organic brain disease.....	....	....	....	1	....	1
Apoplexy .....	....	....	....	1	....	1
Traumatism .....	....	....	....	4	....	4
Measles.....	....	....	....	1	....	1
Consanguinity of parents..	....	....	....	1	....	1
Scarlet fever .....	1	....	1	6	4	10
Asphyxia .....	....	....	....	1	....	1
Severe fright.....	....	....	....	1	....	1
Meningitis .....	....	....	....	1	3	4
Hydrophalous .....	1	....	1	1	....	1
Rickets.....	....	....	....	....	1	1
Menstrual disorder.....	....	....	....	....	2	2
Unascertained .....	5	1	6	108	85	193
Ill health . .....	....	....	....	....	2	2
Menopause.....	....	....	....	....	1	1
Eclampsia .....	....	....	....	....	3	3
Arrested development....	....	....	....	....	1	1
Sexual excess .....	....	....	....	....	1	1
Total.....	9	3	12	175	134	309

TABLE No. 4.

Showing forms of mental impairment of those admitted, discharged and died during year ending September 30, 1895, and since May 1, 1894.

DURING YEAR ENDING SEPTEMBER 30, 1895.									
	ADMITTED.			DISCHARGED.			DIED.		
	Men.	Women.	Total.	Men.	Women.	Total.	Men.	Women.	Total.
Idiocy .....	....	....	....	....	....	....	....	....	....
Idio-imbecility .....	2	....	2	....	....	....	1	....	1
Imbecility, low grade .....	2	1	3	....	....	....	3	4	7
Imbecility, medium grade .....	2	1	3	....	....	....	....	1	1
Imbecility, high grade .....	....	....	....	....	....	....	....	....	....
Insane .....	....	....	....	1	....	1	3	3	6
Epileptic .....	3	1	4	....	....	....	5	1	6
Total .....	9	3	12	1	....	1	12	9	21

TABLE No. 4 — (Concluded).

SINCE MAY 1, 1894.									
	ADMITTED.			DISCHARGED.			DIED.		
	Men.	Women.	Total.	Men.	Women.	Total.	Men.	Women.	Total.
Idiocy .....	3	2	5	....	....	....	1	....	1
Idio-imbecility .....	13	9	22	....	....	....	1	....	1
Imbecility, low grade .....	33	30	63	....	....	....	3	3	6
Imbecility, medium grade .....	25	15	40	....	....	....	....	2	2
Imbecility, high grade .....	7	1	8	....	....	....	....	....	....
Insane .....	85	68	153	56	36	92	4	3	7
Epileptic .....	9	9	18	....	....	....	6	2	8
Total .....	175	134	309	56	36	92	15	10	25



TABLE No. 5.

Showing cause of death of all who have died during the year ending September 30, 1895, and since May 1, 1894.

CAUSE OF DEATH.	DURING YEAR ENDING SEPTEMBER 30, 1895.			SINCE MAY 1, 1894.		
	Men.	Women.	Total.	Men.	Women.	Total.
Epilepsy .....	1	....	1	1	....	1
Exhaustion .....	2	....	2	2	1	3
General paresis.....	1	....	1	1	1	2
Heart disease .....	....	1	1	....	1	1
Inanation.....	3	....	3	3	1	4
Meningitis.....	....	....	....	....	1	1
Organic brain disease ....	1	....	1	1	....	1
Paralysis .....	....	....	....	....	1	1
Status epilepticus.....	1	....	1	1	....	1
Pneumonia .....	....	1	1	1	1	2
Apoplexy.....	1	....	1	2	....	2
Tuberculosis .....	2	7	9	2	7	9
Total .....	12	9	21	14	14	28

TABLE No. 6.

Showing hereditary tendency to mental enfeeblement in those admitted during the year ending September 30, 1895, and since May 1, 1894.

	DURING YEAR ENDING SEPTEMBER 30, 1895.			SINCE MAY 1, 1894.		
	Men.	Women.	Total.	Men.	Women.	Total.
Paternal branch .....	....	....	....	2	1	3
Maternal branch.....	....	....	....	....	1	1
Paternal and maternal branches.....	....	....	....	3	2	5
Collateral branches .....	....	1	1	3	7	10
No heredity tendency ....	....	....	....	1	3	4
Unascertained.....	9	2	11	166	120	286
Total .....	9	3	12	175	134	309

TABLE No. 7.

Showing age at which mental defect first appeared in those admitted during the year ending September 30, 1895, and since May 1, 1894.

AGE.	DURING YEAR ENDING SEPTEMBER 30, 1895.			SINCE MAY 1, 1894.		
	Men.	Women.	Total.	Men.	Women.	Total.
From 10 to 15 years .....	.....	.....	.....	1	.....	1
From 15 to 20 years .....	1	1	2	12	13	25
From 20 to 25 years .....	4	.....	4	30	11	41
From 25 to 30 years .....	1	.....	1	18	15	33
From 30 to 40 years .....	2	1	3	38	16	54
From 40 to 50 years .....	1	.....	1	32	38	70
From 50 to 60 years .....	.....	.....	.....	25	22	47
From 60 to 70 years .....	.....	1	1	13	15	28
From 70 to 80 years .....	.....	.....	.....	6	4	10
Total .....	9	3	12	175	134	309

TABLE No. 8.

Showing form of employment and number days' work done by inmates, during the year ending September 30, 1895.

	Men.	Women.	Total.
Wards .....	7,456	5,856	13,312
Laundry .....	1,401	3,396	4,797
Dining-rooms .....	496	2,617	3,113
Kitchen .....	407	1,016	1,423
Farm .....	3,744	.....	3,744
Shops .....	488	.....	488
Store .....	259	.....	259
Bakery .....	317	.....	317
Sewing-room .....	.....	478	478
Total days' work .....	14,568	13,363	27,931

TABLE No. 9.

Showing nativity of those admitted during year ending September 30, 1895,  
and since May 1, 1894.

NATIVITY.	DURING YEAR ENDING SEPTEMBER 30, 1895.			SINCE MAY 1, 1894.		
	Men.	Women.	Total.	Men.	Women.	Total.
Canada.....	1	....	1	3	3	6
Denmark.....	....	....	....	2	....	2
England.....	....	....	....	5	5	10
Finland.....	....	....	....	1	1	2
France.....	....	....	....	2	....	2
Germany.....	....	....	....	12	9	21
Holland.....	....	....	....	....	1	1
Hungary.....	....	....	....	1	....	1
Ireland.....	....	....	....	19	13	32
Italy.....	....	....	....	2	....	2
Poland.....	....	....	....	1	1	2
Scotland.....	....	....	....	....	2	2
Sweden.....	....	....	....	1	....	1
United States.....	8	2	10	111	83	194
Wales.....	....	....	....	....	4	4
Unascertained.....	....	1	1	15	12	27
Total.....	9	3	12	175	134	309

TABLE No. 10.

Showing residence by counties of those admitted during the year ending Sep-  
tember 30, 1895, and since May 1, 1894.

	DURING YEAR ENDING SEP- TEMBER 30, 1895.			SINCE MAY 1, 1894.		
	Men.	Women.	Total.	Men.	Women.	Total.
Albany.....	1	....	1	11	2	13
Alleghany.....	....	....	....	1	2	3
Broome.....	1	....	1	1	1	2
Cattaraugus.....	....	....	....	1	2	3
Cayuga.....	....	2	2	1	2	3
Chautauqua.....	....	....	....	2	....	2
Chenango.....	....	....	....	....	1	1
Chemung.....	....	....	....	2	....	2
Clinton.....	1	1	2	2	1	3
Columbia.....	1	....	1	2	5	7
Cortland.....	....	....	....	3	....	3



TABLE No. 10 — (*Concluded*).

	DURING YEAR ENDING SEP- TEMBER 30, 1895.			SINCE MAY 1, 1894.		
	Men.	Women.	Total.	Men.	Women.	Total.
Delaware .....	.....	.....	.....	1	2	3
Dutchess .....	.....	.....	.....	4	1	5
Erie .....	1	.....	1	8	1	9
Essex .....	.....	.....	.....	.....	3	3
Franklin .....	.....	.....	.....	1	2	3
Jefferson .....	.....	.....	.....	3	6	9
Kings .....	1	.....	1	1	.....	1
Livingston .....	.....	.....	.....	.....	1	1
Madison .....	1	.....	1	3	2	5
Monroe .....	.....	.....	.....	10	5	15
Montgomery .....	.....	.....	.....	3	.....	3
Niagara .....	.....	.....	.....	7	5	12
New York .....	.....	.....	.....	.....	1	1
Oneida .....	.....	.....	.....	24	42	66
Onondaga .....	1	.....	1	2	5	7
Ontario .....	.....	.....	.....	.....	1	1
Orange .....	.....	.....	.....	.....	1	1
Orleans .....	.....	.....	.....	.....	1	1
Oswego .....	.....	.....	.....	2	3	5
Otsego .....	.....	.....	.....	.....	1	1
Queens .....	.....	.....	.....	6	5	11
Rensselaer .....	.....	.....	.....	13	12	25
Richmond .....	.....	.....	.....	1	1	2
Rockland .....	.....	.....	.....	1	.....	1
St. Lawrence .....	.....	.....	.....	2	2	4
Saratoga .....	.....	.....	.....	2	1	3
Schenectady .....	.....	.....	.....	1	.....	1
Schuyler .....	.....	.....	.....	1	1	2
Seneca .....	.....	.....	.....	2	1	3
State .....	.....	.....	.....	13	1	14
Steuben .....	.....	.....	.....	7	2	9
Suffolk .....	.....	.....	.....	.....	3	3
Ulster .....	.....	.....	.....	2	.....	2
Washington .....	.....	.....	.....	2	.....	2
Warren .....	.....	.....	.....	.....	1	1
Wayne .....	.....	.....	.....	3	1	4
Westchester .....	.....	.....	.....	22	4	26
Wyoming .....	1	.....	1	1	.....	1
Yates .....	.....	.....	.....	1	.....	1
Total .....	9	3	12	175	134	309

## Form of Request for Admission to the Rome State Custodial Asylum.

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According to the form prescribed by the board of managers of the Rome State Custodial Asylum, October 28, 1895, and by resolution of said board that date ordered to go into effect October 28, 1895, under the authority of chapter 59 of the Laws of 1895.

*To the Superintendent of the Rome State Custodial Asylum:*

I hereby request that ....., who is idiotic or mentally deficient and resides in the town of ....., in the county of ....., in the State of New York, may be admitted as an inmate of said asylum.

Dated the .... day of ....., 189...

To be signed by the applicant.

.....

*Superintendent of Poor, ..... County.*

### STATEMENT.

The family physician, parents, friends or superintendent of poor are requested to state the facts called for below to the best of their knowledge and belief. If any particular is unknown the fact should be stated.

1. Age, ..... years; sex, .....; civil condition, .....; color, .....; occupation, .....; religion, .....; nativity, ....., of father, .....; nativity, ....., of mother, .....; education, ....., none; education, ....., reads.

2. When was mental peculiarity first noticed?

3. What is the bodily condition of patient? (If there is any deformity of body or limbs so state.)

4. Is there any defect of the special senses? (If so describe it.)

5. Is the patient subject to epilepsy? (If so state frequency of attacks.)

6. Is the patient violent, dangerous, destructive, irritable or passionate? (If so give instances.)

7. Was the patient ever an inmate of an asylum or hospital for the insane? (If so was . . . . discharged as recovered, improved or unimproved and when did such discharge take place.)

8. Is the patient cleanly or otherwise in dress and personal habits?

9. Has the patient any unfortunate habit? (If so describe it.)

10. Is the patient addicted to the use of tobacco or narcotic drugs of any kind? (If so state to what extent.)

11. What is supposed cause of present mental condition?

12. Is there any history of insanity, epilepsy, chorea, or defects of vision, hearing or speech or any nervous affection in the family of father or mother? (If so describe.)

13. How many brothers and sisters has the patient had?

14. Was there any bodily deformity or mental deficiency in the other children? (If so describe.)

15. Other facts indicating idiocy or mental deficiency? (State if there has been any change in the patient's mental condition, that is, if the defect has existed from infancy, or, if not, at what period of life mental development was arrested.)

16. Name of parents or nearest relative?

17. Residence and post-office address.



## ROME STATE CUSTODIAL ASYLUM.

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### Form of Commitment of Patient.

According to the form prescribed by the board of managers of the Rome State Custodial Asylum, October 28, 1895, and by resolution of said board that date ordered to go into effect immediately, under the authority of chapter 59 of the Laws of 1895,

I hereby commit . . . . ., who is a legal resident of this county and in indigent circumstances, to the Rome Custodial Asylum for care and treatment.

It is understood by the superintendent of poor making this commitment that if the person named in this commitment should, after a fair trial, prove to be an improper subject for care and treatment at the asylum by reason of insanity, epilepsy or other disqualifying circumstances or conditions, the said . . . . . shall be promptly removed at the request of the officers of the asylum without cost to the managers thereof.

Dated the . . . . day of . . . . ., 189..

. . . . .

*Superintendent of Poor, . . . . . County.*

Report of Henri D. Dickinson, B. Sc., on the Condition of the  
Plumbing and Sewage of the Rome State Custodial Asylum.

NEW YORK, *October 15, 1894.*

*To the Superintendent and Board of Trustees of the Rome State  
Custodial Asylum, Rome, N. Y.:*

Gentlemen.—Pursuant to your instructions I have the honor to state that I made an examination of the plumbing works of the above asylum, and the following is my report:

DRAINS.

The drainage system, by which is meant the lateral drains laid under the basement floor and which receive the discharges from the various plumbing fixtures and also the rain water conductors, consists of earthenware pipes of various diameters as branch drains and three trunk drains, two of which are earthenware ten and twelve inches in diameter, respectively, and one brick conduit also twelve inches in diameter. These, I understand, were laid during the erection of the building. I am not in a position to state positively their present condition because they are not exposed to view, nor did I deem it safe or expedient to require this to be done, for the following reasons: First, on account of the expense of taking up and relaying the stone flagging with which the basement floor is covered, and, second, because of the danger incident to the disturbance of old drains and saturated earth inside a building of this character. I believe I am justified, however, in venturing the opinion that they are defective and unfit for further use and should be abandoned. Their diameters are excessive and do not admit of effective flushing. The joints of

earthenware pipes are seldom if ever proof against liquids or gases unless laid under most favorable conditions, and a brick conduit is particularly objectionable in this respect. These trunk drains are nothing more or less than elongated cesspools in which sewage water remains and decomposes, and from which the gases are drawn into the building through the various defects in the soil and waste pipes and plumbing fixtures.

#### SOIL AND WASTE-PIPES.

The soil and waste pipes throughout the building are in a very bad condition. Their arrangement is faulty in every particular; some are trapped at their base and their connections to the main drains are made by cement joints. A number of their joints are leaky and defective both as to liquids and gases and they are inefficiently flushed. From basement to attic, wherever a plumbing fixture connects, these defects also exist in workmanship, or plan. The materials used in the work vary in character and all are the worse for wear, accident or ignorance in their use.

#### FIXTURES — WATER-CLOSETS.

The water-closets are of an antiquated and unsanitary type, totally unfit for use anywhere and not at all adapted for hospital use. They are particularly objectionable in this instance, because they are corroded, foul and inefficiently flushed. The wood seats are saturated with urine. The apparatus can not be kept clean and in good condition, however often and thoroughly cleaned.

#### SINKS.

The sinks, especially those used for disposal of slops are in an extremely offensive condition. They are faultily arranged and



insufficiently flushed. Nowhere throughout the building should they be permitted to remain one moment longer than absolutely necessary.

#### BATHS.

The baths, like the water-closets, are antiquated, worn out and unfit for use. They neither add to the comfort nor cleanliness of the patients. Apparatus of this kind and condition repel rather than invite its use.

#### TRAPS.

The house sewers are untrapped, as also are a majority of the plumbing fixtures, such as water-closets, baths and slop sinks, while other fixtures such as patients' wash sinks and basins for the attendants' use are inefficiently trapped; that is, their traps are placed at too great a distance to be of service. Faulty and unsanitary fixtures are indeed a misfortune anywhere, but what can be said of trapless fixtures in an institution where persons feeble in mind and body are housed? Every such fixture is simply an open tap, four, two or one and a half inches in diameter, etc., through which volumes of foul and offensive gases are issuing into the corridors, day and sleeping rooms at all hours, day and night. As a result the toilet rooms and their vicinity reek with the noisome odors of the sewer, the foul fixtures and the offensive odors incident to the use of such rooms. Unfortunately the toilet rooms, day rooms and lavatories adjoin; add to this the emanations from the bodies and lungs of fifty or more inmates and the conditions are more easily imagined than described.

There are other features in this system which tend to aggravate matters, such as the connections of floor drains of the water-closet

compartments and the urine saturated wood-work and safes. These may be considered as part of the foregoing observations.

#### VENTILATION.

In the matter of ventilation of the toilet-rooms and water-closet compartments, I may frankly state that there is none except through windows. It is true that the architect and builder provided a few flues to relieve these places of any offensiveness that might arise, but to offset this liberality they carried them as far as the attic only, and there abandoned them. Even here they have not been permitted to discharge their functions, for it was discovered that they either carried off too much heat or that during atmospheric changes there were down draughts, and so, to overcome these alleged defects, a board, with a cleat one and one-half or two inches thick has been placed over each stack, thus reducing the total area of the exits to a square foot or thereabouts. I need hardly state that this method of checking loss of heat, also ventilation, is very economical and almost perfect. During the warm weather the additional and unnecessary burden is somewhat relieved by open windows, but during the winter and even at this season of the year, when this advantage must be abandoned, the atmosphere in these rooms is positively wretched, and appeals to those charged with the custody and welfare of the inmates for immediate remedy. To my mind there is not a room or corridor but could be improved by a simple and economical system of ventilation; which, in conjunction with new and improved plumbing apparatus and the displacement of the present soil, waste and drainage pipes by new ones, perfect in workmanship and arrangement, would inure greatly to the health and happiness of the afflicted inmates. These remarks apply with



equal force in regard to the attendants and officials, whose health is being undermined by their unsanitary surroundings and whose constant desire must be to breathe an air free from poisonous gases and foul odors.

In the basement, where there are a number of sinks and other fixtures in use for the kitchen, wash-rooms, etc., the same defective conditions are everywhere apparent. But I can not refrain from calling special attention to the room under the toilet and lavatory of ward No. 4. This place is extremely offensive, charged as it is with the odors of the sewer and a floor saturated with urine. In this room a hot-air furnace is located, and the cold-air box which connects with it obtains part of its supply from the atmosphere here and the dining-room adjoining. It is then distributed in the upper parts of the building. By the above arrangement, the foul conditions are somewhat modified as to this and the adjoining room, but, unfortunately, at the expense of the wards and rooms above. Other portions of the basement are more or less free from foul odors. This is due to the many ways in which they are dissipated and not to any forethought or care on the part of architect, builder or plumber.

#### LAUNDRY.

The special features of this building are a gutter for carrying off the waste water from the wash-tubs, an untrapped cesspool which collects this water, a water-closet and a sink. The first and second are broken and leaky throughout. This gives rise to soil saturation, dampness and a general offensiveness. The water-closet is of the character heretofore described, and the sink, although untrapped, is comparatively harmless, because it is not sewer-connected. The water-closet above-mentioned is located



in a compartment under the stairway and has neither light nor ventilation and is used by both sexes.

#### WATER SUPPLY.

The arrangement of water supply pipes is faulty and they are much worn. It affords a scanty supply where needed most and permits of waste where it is required least. For this there is no remedy except the introduction of a new system calculated to meet the wants of an institution of this character.

#### ALMS-HOUSE.

Briefly referring to the plumbing and drainage of the adjoining buildings known as the alms-house, I would state that the same general defective conditions as those above described exist here. The arrangement and material of the drains, soil pipes and type of fixtures are practically duplicated except in number. The water-closet compartments in these buildings though partitioned off to the ceiling are practically located in the day rooms and wards with no ventilation except through windows which the inmates keep closed to avoid draughts. Ward 15 is without doubt the worst of these. In it are confined the aged and infirm. The toilet-room, which is divided from the ward by a dwarfed partition, contains a water-closet, which is foul and offensive, a bath inefficiently trapped and a urine-saturated floor. Like the others above described, this has no ventilation except through the window, which is also kept closed by the aged occupants. As a result of continuous occupancy and the defective plumbing and fixtures, the air in this ward is disgusting and nauseating.

In all the foregoing it will be seen that I have refrained as far as possible from giving a detailed description of all the defects noted. My reason for this omission is that in stating cause and

effect in general terms, I avoid the technology incident to a detailed description which at best is at times uninteresting and perhaps perplexing, and for the further reason that I believe you desire to ascertain whether an urgent necessity exists for immediate action, and if so, to what extent you must go in order to raise the sanitary condition up to the required standard regardless of all minor details. Should you desire them, however, I will be pleased to submit them in a supplemental report whenever called upon to do so.

I regret that I can not advise you to retain any portion of the work examined by me. I marvel that it has remained in use so long since it must have been apparent to the most casual observer that from the moment it was completed there was something radically wrong either in the construction or design. That, in its deteriorated state it is unfit for further service one can see at a glance, but to my mind, no judgment upon it can be too severe. It matters not how scrupulously clean your subordinates may endeavor to keep the plumbing fixtures or toilet-rooms; fetid odors and a vitiated air will ever be present, they can not be suppressed; not, at least, under present conditions. Personally, I can not imagine how it is that the inmates have escaped an epidemic of zymotic disease such as usually results from such exposure. It would seem, however, that in this instance the hand of Providence has been stretched forth to shield these helpless creatures from the ignorance of their fellow men and the ravages of time. But notwithstanding this immunity, who shall say that in the light of the above statement the condition of some may not have been aggravated or the convalescence of others retarded? The State may spend millions in the improvement of this asylum but until the plumbing and drainage are corrected and the sanitary sur-

roundings improved you can not hope to effect any permanently good results. What is absolutely needed at this moment is perfect drainage and ventilation, sufficient heat to assist in the work of the latter, good plumbing fixtures placed in rooms whose floors and walls are germ-proof, generous provision for washing and bathing and an abundance of water for all these purposes. These secured, I believe that you will ever regard with satisfaction the efforts made in this direction. I sincerely believe that you are keenly alive to these necessities and will take prompt action in the premises.

Very respectfully.

HENRI D. DICKINSON.







# STATE OF NEW YORK.

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No. 44.

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## IN ASSEMBLY,

JANUARY 31, 1896.

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### REPORT

OF THE

### COMMISSIONERS APPOINTED TO PROPOSE LEGISLATION FOR CITIES OF THE SECOND CLASS.

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#### *To the Legislature:*

The undersigned commissioners, appointed under the act, chapter 548, of the Laws of 1895, to propose legislation governing cities of the second class, submit herewith our report:

We have found the task committed to us by no means an easy one. The government of cities, under conditions which exist in this country, is a large problem, and one of the most difficult which confronts the American people at this time.

As was to be expected, we found among ourselves some differences of opinion, which, in that conciliatory spirit which should animate men who are required in such matters to act together, we have attempted to harmonize; and while no member of the commission has yielded his convictions in any matter which he considered vital to the success of the scheme of municipal government which we have framed, we have been able to agree in our



report, except in one matter, as to which Mr. Commissioner Earl feels constrained to dissent from his associates, and to submit herewith his own individual views.

We have thought that one of the most important things to be accomplished, in any general legislation for the government of cities, was to secure to them local autonomy. The inhabitants of the cities should be taught that they must rely upon themselves for good municipal government. If they can not govern themselves well, no other body can. If they can not secure good legislation through a legislative body selected by themselves from their own locality, familiar with their wants, directly responsible to them, under the constant influence of local public opinion, all experience shows that they can not secure it from the State Legislature, whose members are not familiar with their wants, have only the most general interest in the locality, and can feel little or no responsibility to the people who live there. It is the general complaint of those who are familiar with the working of the municipal systems of this country that a large share of the evils from which the great municipalities suffer come from too frequent interference with their charters and their affairs by the central legislative authority. The inhabitants should be made to feel not only that they are responsible for good governments in their cities, but that, having the responsibility, they are able, by the proper discharge of their civil duties, to secure it. Prof. Goodnow, of Columbia College, in his recent work on "Municipal Home Rule," speaking of legislative interference with the affairs of cities, says: "This centralization of local functions has had a most disastrous effect upon the cities of the United States, causing not only great lack of local interest in the management of local affairs, but also an ignorant and inefficient management of those affairs — an unwise solution of many of the problems which have been presented to our cities. This result would seem to be almost unavoidable when local powers are exercised by a central body, which, of necessity, can be but very slightly acquainted with local conditions and which lacks all local responsibility." The so-called Fassett committee, in their report in 1891 on the government of

cities, speaking of the constant legislative interference with the government of cities, said: "That our cities have no real local autonomy; that local self-government is a misnomer; and that consequently so little interest is felt in matters of local business that, in almost every city in the State, it has fallen into the hands of professional politicians," and the views of many other thoughtful men from every part of the country could be cited to the same effect.

While the interference of the Legislature with the government of cities leads to local abuses and misgovernment, it also interferes with the proper discharge of its real and more useful functions. At the legislative session last year the special enactments relating to cities nearly fill two large volumes.

Greatly impressed with these views, it has been one of our principal aims in preparing the proposed legislation to devise a scheme which would leave no necessity or even excuse, except in very rare cases, for the people of any city to go to the Legislature for any purpose whatever.

While we propose to give to common councils large and general powers of legislation in all matters of local concern, we have interposed some needed checks by requiring for the passage of an ordinance in some cases the affirmative vote of two-thirds, in some three-fourths of the members of the common council, and in others a unanimous vote.

We propose that the common council shall be purely a legislative body, and that it shall have nothing to do with appointments to office, with the execution of contracts, with the employment of labor, or the purchase of materials, or with the expenditure of money for any purpose whatever; and thus, as it will have no patronage, no power to expend money which it appropriates, there will be very little inducement to extravagant or corrupt local legislation.

It is believed that this system, improved as it will be by experience, will place it in the power of the inhabitants of every city to secure an honest and efficient administration of city affairs, and



that it will stimulate and encourage them to make use of such power.

One of the great evils of municipal government is the creation of funded debts, frequently, if not generally, the consequence of legislative interference. It is very easy and sometimes popular for members of the common council to inaugurate expensive local improvements, the cost of which is to be largely paid by future generations, while the benefits are to be enjoyed by the living. As a rule, the funded debts of cities increase must faster than population or taxable property. In this State we have now some checks upon this tendency. In section 10 of article 8 of the Constitution the limit of possible indebtedness in every city is ten per centum of the assessed valuation of the real estate therein. The General Municipal Law of the State requires that temporary loans shall be made payable within eight months, and that they shall be paid by current taxation; and that a funded debt can be created only by a vote of two-thirds of all the members elected to the common council, or a vote of the taxpayers, and that the interest and a portion of the principal must be paid annually by taxation. And then we provide further checks. In section 20 a vote of two-thirds of all the members of the common council is required for the passage of any ordinance appropriating money for any purpose; and then the ordinance must specify the items of the appropriation, and the department and specific purpose for which it is made. We further require, in section 27, that an ordinance authorizing a funded debt shall have the approval of the State Comptroller, unless it was unanimously passed by the common council. The chief financial officer of the State in such cases stands for and represents those who may not be living, and thus can not be heard. He would be uninfluenced by the passions and interests of the locality. He could hear all persons interested and act with judicial calmness and impartiality; and if he disapproved the ordinance, unless the emergency for its passage was so pressing that it had general approval in the locality, it could be delayed until the favorable action of the comptroller could be obtained. It is believed that this is a new check upon the debt making power, and that it will



afford some protection to future generations of citizens who must mainly bear the burden of funded debts created.

One great evil in all the large cities has been the facility with which valuable franchises belonging to cities have been given away, or sold for inadequate returns. Franchises have thus been disposed of which, under proper regulations, could have been sold for enough to pay a large share of the total municipal indebtedness of the large cities of our country. The system we propose requires in section 20 that these franchises shall be sold or leased at public auction to the highest bidder, and that such a sale or lease can not then be effective until approved by the board of estimate and apportionment, composed of the five principal officers of the city.

We propose to give the mayor large power and great responsibility. He is the executive head of the city government. He appoints, and, under certain conditions, may remove nearly all the city officers; and thus he can hold them all to responsibility for the manner in which they discharge their duties. He, himself, after a hearing and trial of charges preferred against him, may be removed from his office by the Governor. Thus, if there be bad administration of city affairs, it is easy for the electors to place the responsibility and to apply the remedy at the polls.

Public opinion informed and stimulated by the press in every city is a great power for good; and when properly invoked and aroused, it can not in the end fail to effect every needed reform and cure every curable evil; and hence we provide for the greatest publicity of all the transactions of the various city officers, boards and departments.

We have not attempted to interfere with the general laws of the State now in force affecting cities, and regulating the powers and duties of public officers. That we supposed was not within the task committed to us. Hence we leave applicable to these cities the election laws, excise laws, health laws and other general statutes.

We call attention to the fact that we have not completed all the work which we may have been expected to do. We have not

revised the existing charters of cities so as to bring them into complete harmony with our proposed general laws. We have thought it would be premature to do this at this time. After the general laws which we now propose shall have been enacted, then, in time for the Legislature of 1897, special laws may be drafted which will bring the city governments into harmony with the scheme which we recommend, and such special laws can be enacted by the Legislature in the winter of 1897. While we are quite fearful that, in a work of such magnitude as we have had in hand, we may have overlooked something, we find some relief from our apprehension in the fact that our proposed system can not go into operation until January, 1898; and that in the meantime there will be abundant opportunity to amend the act now proposed so as to remedy any defects and omissions which may be discovered.

The problem of municipal government in the State may properly be made the subject of further and continued study and consideration, and we respectfully suggest that such consideration seems likely to be best secured under a permanent municipal government board, as we understand is to be proposed by the commission representing cities of the third class.

We now leave our work in the hands of the Legislature, hoping that we have at least made some contribution to the solution of the difficult problem of municipal government, simply adding that after all that can be done by legislation, the denizens of cities must be mindful that, as among the people of our race it has become an apothegm that "eternal vigilance is the price of liberty," so eternal vigilance is the price of good municipal government.

All of which is respectfully submitted.

ROBERT EARL,  
JAMES G. CUTLER,  
MICHAEL E. DRISCOLL,  
ARTHUR L. ANDREWS,  
DAVID M. GREENE.



## MINORITY REPORT.

---

*To the Legislature :*

As I can not agree with my associates in their plan for the organization of the police department for cities of the second class, I deem it proper to submit my objections briefly in writing:

1. The proposed plan for the selection of police commissioners has never been used or tried, so far as I can learn, anywhere in this country; and I am sure that no city able to change it would continue it for any considerable time.

2. A bi-partisan commission thus selected has been generally condemned by all thoughtful men concerned with municipal reform, and I believe few men who have given the subject of municipal government much study would approve it.

3. There is little responsibility for the selection of police commissioners in this way. The partisans of one party in the common council select two, and the partisans of another party select two others; and the responsibility is thus so divided and distributed that no one can be held to proper account for the selections.

4. It will inevitably result that the partisans of one party will select two partisans to fight and look after the interests of their party; and the partisans of another party will do the same thing for their party; and it will result that four partisans will be selected who will usually be machine politicians; and thus politics will be introduced into the police department, where it will be most harmful and from which it should always be absent.

5. This scheme will lead to dickers and divisions of spoils, and thus there will be a tendency to demoralization in the police force.

6. The common council is, under all circumstances, an unfit body to make these selections, and this plan is still worse, as it makes it possible for a small minority of the body to make these selections.



7. In the police department, there should be concentration of power, direct responsibility, capacity for prompt, vigorous and rapid action; and these can not be expected from a commission frequently divided into two hostile camps.

8. If such commission were to exist only for the purpose of the election, so as to secure impartiality in the conduct of the police force on days of election and registration, it would be an unwise device. But that the police force, organized for the protection of life and property, the prevention and detection of crime, the preservation of good order, and the enforcement of the law, should be constantly under such a system is intolerable.

9. But, in a spirit of conciliation, I have been willing to yield my convictions, so far as to concur in the formation of such commission, under some name, to take charge, on days of registration and election, and also, if required, at political caucuses and conventions, of so much of the police force as may be needed for the preservation of order and the enforcement of law on such occasions.

10. In making the selection of police commissioners under this plan, party, not the public, good will be the main consideration.

11. The plan which I formulated is to have at the head of the police department a superintendent of police appointed by the mayor and removable by him like other officers. I would vest in him the powers given by my associates to the four commissioners, except that I would have a board for the trial of delinquent members of the police force, composed of the mayor, corporation counsel and one of the city judges. This plan places the main responsibility on the mayor, who can appoint, control and remove the superintendent. It will secure, if any plan can, efficiency and energy in the police force; and I believe such a system has or will have the approval of most thoughtful men who will give it consideration.

All of which is respectfully submitted.

ROBERT EARL.

# STATE OF NEW YORK.

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No. 45.

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## IN ASSEMBLY,

FEBRUARY 3, 1896.

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### R E P O R T

OF THE

COMMISSIONERS APPOINTED TO PROPOSE LEGISLATION FOR CITIES OF THE THIRD CLASS, TOGETHER WITH DRAFTS OF PROPOSED BILLS.

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STATE OF NEW YORK:

EXECUTIVE CHAMBER,  
ALBANY, *February 3, 1896.* }

*To the Legislature:*

I have the honor to transmit herewith the Report of the Commissioners appointed pursuant to the provisions of chapter 1011, of the Laws of 1895, to prepare charters for cities of the third class, together with drafts of proposed bills.

LEVI P. MORTON.





# REPORT.

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*To the Governor :*

The undersigned, who were appointed, pursuant to the provisions of chapter 1011 of the Session Laws of 1895, commissioners to prepare and submit, on or before the 1st day of February, 1896, such general laws and such proposed amendments to existing laws as in their opinion should be proper and necessary for the government of cities of the third class, have the honor to report as follows:

There are thirty cities of the third class, ranging in population, from Utica, with nearly 50,000, to Little Falls, with less than 10,000; they are widely separated in location, being situated in all parts of the State; they differ in climate, in topography, in age, in rapidity of growth, in industries, in methods of administration, and to a less degree, in the characteristics of their population; they are now governed under charters which, although to some extent similar, are discordant and inconsistent in many important particulars, and a great many special amendments have been made to these designed to meet only local or temporary needs.

It was manifest at first that so wide a divergency of interests, moral and material, and so great a variety of circumstances forbade the attempt in the time at our command to frame a bill generally applicable, which should provide for all the details of city government and satisfy the local and peculiar requirements of the respective cities.

It is presumed that the reason for the passage of the law under which we are acting was a recognition by the Legislature of certain defects in city government which are general in character and remediable by legislation. We have attempted an examination into the causes, nature and extent of these defects, and pro-

pose only such general measures as seem to us to have a tendency to correct them, leaving peculiar conditions and local laws to be finally adjusted to the general statute by future legislation.

Among the general purposes of any statute designed for the improvement of city government should be:

First. To secure municipal autonomy, that it to say, the government of the cities in respect of their local affairs, by representatives elected by their people, and in accordance with their desires, with ample scope and opportunity for development.

Second. To effect a limitation upon special legislation as to city affairs, which has already grown to vast bulk, and which is always likely to be inconsiderate and unintelligent.

Third. To improve the dignity, honesty and efficiency of city government.

Among the proper means to these ends are:

First. The separation and delimitation of the executive, legislative and administrative functions of the municipality.

Second. The conduct of local municipal affairs, solely for the public convenience, safety and welfare, and, as far as possible, irrespective of State and national politics.

Third. The active participation in the practical government of the cities by all good citizens.

We have accordingly prepared and submit herewith for the consideration of the Legislature a bill which, though it does not express in all respects the opinions of each commissioner, is framed upon these lines and embodies the following specific provisions:

First. For the enlargement of the powers and increase of the responsibility of the mayor.

We recommend that the whole executive power be lodged in him, including the power of appointment and removal of all non-elective officers, without confirmation by the common council; that he have a veto upon the legislative acts of the common council; that he be not a member of the common council nor preside therein; that he appoint the members of all boards of administration, and that the terms of office of a majority of them shall expire with his own; that he have direct supervisory power over the



police; that no city moneys be disbursed without his signature, and that he be removed by the Governor for cause.

Second. For the enlargement of the legislative powers of the common council and making its functions legislative only.

We would deprive the common council of the power to appoint and remove officers, which tends to make it a political machine, and, with certain minor exceptions, the power to let contracts, which is properly an administrative function and which ought not to be exercised by a legislative body. The care and maintenance of the streets, water-works and other public property of the city require special knowledge and experience, and may be intrusted to a board of experts, who, in order to the necessary unity of administration, should have large powers of regulation and control; otherwise we would make the legislative power of the common council plenary upon local subjects, as far as consistent with the Constitution and laws of the State, and, with certain specified exceptions, give it supreme control of the city finances, reserving also to the common council in every city such powers as it has under existing laws not inconsistent with the statute we propose.

We also recommend the election by the city at large of half the whole number of aldermen, and of a president of the common council, who shall be a member of it and have a vote upon all questions, and who shall be a member of the board of audit and of the board of review of assessments. By this method it is hoped that the friction and occasional paralysis which now result from the equal political division of the members of the common council may be obviated.

Third. For the creation of a board of public works with jurisdiction of the water-works, streets, parks and sewers, with full power of legislative and administrative control of those subjects, and with power to inaugurate and execute all local improvements under proper limitations.

By this method we hope there will be secured the management of this important branch of city affairs, by competent persons appointed thereto with special reference to their fitness, and the substitution of unity and continuity of administration in place



of the diversity, conflict and uncertainty which are too often apparent under the present system.

Fourth. For the creation of a uniform system of assessment and collection of taxes and of assessments for local improvements.

This system we have endeavored to work out in detail. Some of its more important features are:

1. A rigorous enforcement of taxation, which appears to us not less beneficial to the taxpayer than to the city.

2. A distribution of the burden of assessments for local improvements through a series of years, and permitting the assignment of the rights of the city in the assessment for a term of years to one who shall pay it instead of the person against whom the assessment is made.

3. One assessor for every city, and the abolition of assessment by wards.

4. The inclusion of State and county taxes in the annual city budget, and the collection of State, county and city taxes upon one roll.

5. The receipt, custody and disbursement of all city moneys by one officer.

Fifth. With a few exceptions, for the erection of a city court with mingled civil and criminal jurisdiction, and the abolition of all existing police courts and courts of justice of the peace in cities; the abolition of most fees and the substitution of costs therefor.

Sixth. For a uniform organization of the police department.

We recommend that this department be administered by one commissioner, appointed by the mayor, and removable by him, and that the commissioner have power to appoint the policemen, and with the approval of the mayor to promulgate and enforce rules for the government of the police force, not inconsistent with the ordinances of the common council.

With respect to such matters as are now provided for by general laws, like the public health, the care of the poor, excise and education, we have thought it best either to suggest no alterations in existing statutes or only such changes as are necessary

to bring the boards and officials in charge of those subjects into relation with the general scheme of city government proposed.

The excise laws being only incidentally connected with municipal administration, we have made no reference to that topic.

There are several subjects of great importance which have been pressed upon our attention by eminent students of municipal reform, such as tenement-house reform, methods of voting whereby the common council may be elected so as more accurately to represent the different shades of political opinion in the community, sometimes called proportional or minority representation, and the regulation of the grant of franchises to corporations acting within the city limits, but we do not submit any suggestions on these subjects, partly because, as to some of them, we learn that separate bills are now under consideration by the Legislature, as to others, because they seem to us to be rather of general than of local concern, and as to some of them, because any legislation which could be proposed must be experimental and should therefore be provided by separate statutes.

We have, with the co-operation of the commission to propose legislation for cities of the second class, prepared and submit herewith a bill for the establishment of a State municipal government board, similar in some of its features to statutes for the government of cities in England, which have been found to work well, and we recommend its enactment by the Legislature. Its main features are: The appointment by the Governor, with the advice and consent of the Senate, of a board of commissioners, who shall have general critical and advisory powers over all the local municipal governments. It is made the duty of this board to criticise and report upon all proposed laws affecting cities, before their passage by the Legislature; to require such explicit reports upon the different branches of city government as they shall prescribe, and to preserve, tabulate and publish the same for the public use; strictly to investigate the conduct of the government of the cities, their departments and officers, and to certify all municipal bond issues, as to their form, regularity and legality.

From this statute the best results are anticipated by many persons whose experience and knowledge of this subject entitle their

opinion to peculiar respect, and we hope and believe that if it becomes a law it will be productive of the advantages predicted for it.

January 30, 1896.

Respectfully submitted,

ROBERT F. WILKINSON,  
FREDERICK WILLIAM HOLLS,  
EDGAR A. SPENCER,  
FREDERICK W. KRUSE.

I heartily approve, generally, of the report of the commission, but I can not approve of certain particulars which I deem essential to the good working of the system proposed. I deem it proper, therefore, to submit a minority report which will express my views wherein I differ from the majority of the commission.

Respectfully,

HANNIBAL SMITH.



# SEVENTY-FIRST ANNUAL REPORT

OF THE

MANAGERS OF THE SOCIETY

FOR THE

Reformation of Juvenile Delinquents

IN THE

CITY OF NEW YORK.

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TRANSMITTED TO THE LEGISLATURE FEBRUARY 3, 1896.

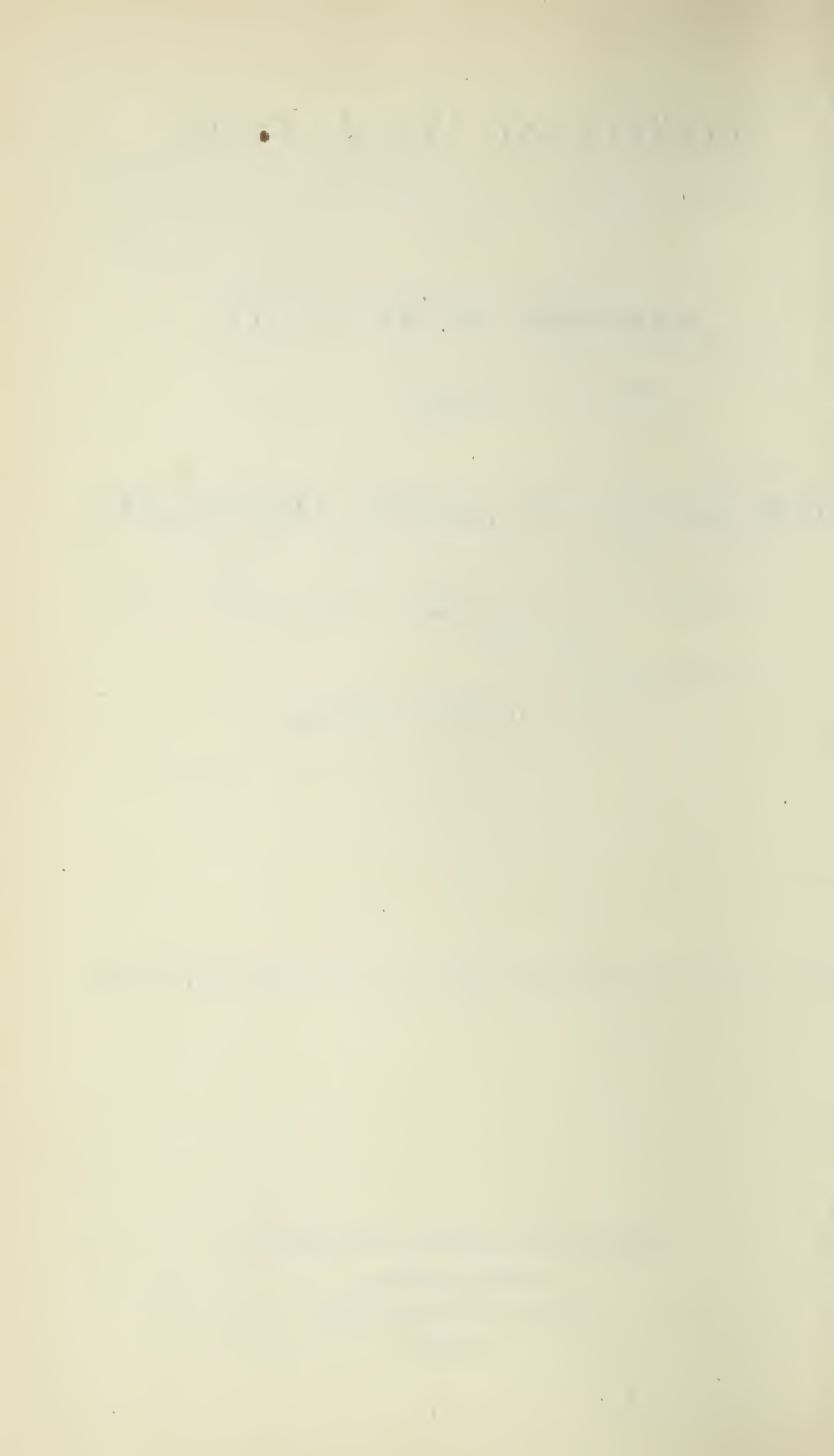
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WYNKOOP HALLENBECK CRAWFORD CO.,

STATE PRINTERS,

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1896.



# HONORARY COUNCIL OF FORMER MANAGERS.

CREATED BY BY-LAWS.

ANDREW WARNER,

J. W. C. LEVERIDGE.

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## OFFICERS AND MANAGERS, 1895-96.

---

### President.

ALEXANDER E. ORR.

### Vice-Presidents.

F. W. DOWNER,

BENJ. B. ATTERBURY.

### Treasurer.

EDWARD M. TOWNSEND.

### Secretary.

NATHANIEL JARVIS, JR.

---

## MANAGERS.

---

### Term expires 1896.

BENJAMIN B. ATTERBURY,

ROBERT LENOX BANKS,

WILLIAM BRADFORD,

FREDERIC BRONSON,

JAMES H. FAY,

STUYVESANT F. MORRIS, M. D.,

WM. M. PRICHARD,

WILLIAM WATTS SHERMAN,

J. S. T. STRANAHAN,

HENRY A. C. TAYLOR.

### Term expires 1897.

JOHN S. BARNES,

ALEXANDER E. ORR,

FREDERICK W. DOWNER,

JOHN A. WEEKES,

JAMES J. HIGGINSON,

THOMAS H. BARBER,

MORACE W. ROBBINS,

GEORGE G. WHEELOCK, M. D.,

STEPHEN H. OLIN,

F. BRONSON WINTHROP.

### Term expires 1898.

HENRY DUDLEY,

RICHARD H. EWART,

JACOB F. MILLER,

NATHANIEL JARVIS, JR.,

EDWARD M. TOWNSEND,

CLEMENT MARCH,

WM. GASTON HAMILTON,

JOHN J. TOWNSEND,

LEWIS STUYVESANT CHANLER,

EVERT JANSEN WENDELL.



# STANDING COMMITTEES, 1895-96.

---

## Executive Committee.

HENRY DUDLEY,                      JAMES J. HIGGINSON,  
NATHANIEL JARVIS, JR.,              JOHN S. BARNES,  
WILLIAM WATTS SHERMAN,          EDWARD M. TOWNSEND,  
WILLIAM GASTON HAMILTON.

## School Committee.

THOMAS H. BARBER,                  EVERT JANSEN WENDELL,  
JOHN J. TOWNSEND,                  CLEMENT MARCH,  
BRONSON WINTHROP.

## Indenturing Committee.

FREDERICK W. DOWNER,              HENRY DUDLEY,  
HORACE W. ROBBINS,                  STUYVESANT F. MORRIS,  
GEORGE G. WHEELOCK,              CLEMENT MARCH.

## Finance Committee.

EDWARD M. TOWNSEND,              JOHN S. BARNES,  
RICHARD H. EWART.

## Law Committee.

JACOB F. MILLER,                      JOHN J. TOWNSEND,  
BRONSON WINTHROP.

## Library Committee.

WILLIAM WATTS SHERMAN,          WILLIAM BRADFORD,  
GEORGE G. WHEELOCK, M. D.

## Committee on Annual Report.

JAMES H. FAY,                          WILLIAM WATTS SHERMAN,  
JOHN J. TOWNSEND.

**Committee on Legislation.**

ROBERT LENOX BANKS,	THOMAS H. BARBER,
JAMES H. FAY,	JOHN S. BARNES,
STEPHEN H. OLIN.	

**Committee on Insurance.**

FREDERICK W. DOWNER,	RICHARD H. EWART,
EDWARD M. TOWNSEND.	

**Committee on Nominations.**

FREDERICK W. DOWNER,	JAMES H. FAY,
HORACE W. ROBBINS,	JOHN J. TOWNSEND,
FREDERIC BRONSON.	

## LADIES' COMMITTEE, 1895-96.

---

MRS. WALTER C. PALMER.....	316 East Fifteenth street.
MRS. WILLIAM E. DODGE.....	225 Madison avenue.
MRS. FREDERICK W. DOWNER...	13 West Thirty-seventh street.
MRS. JOSEPH F. KNAPP.....	Hotel Savoy.
MRS. ASBURY LOWERY.....	226 Central Park, West.
MISS HARRIET TABER.....	257 West Eighty-fourth street.
MRS. FREDERIC KUHNE.....	49 West Fifty-seventh street.
MRS. FREDERIC T. HUME.....	82 East Seventy-ninth street.
MRS. Z. P. DENNLER.....	142 East Third street, L. I. City.
MRS. A. E. TURNER.....	142 East Third street, L. I. City.
MRS. J. E. L. DAVIS.....	4 East Sixty-third street.
MRS. W. H. WICKHAM.....	338 Lexington avenue.
MRS. H. J. OSTROM.....	42 West Forty-eighth street.
MISS MELISSA ATTERBURY.....	The Dakota.
MRS. JOHN TABER.....	348 Lexington avenue.
MRS. EDWARD PATTERSON.....	19 East Forty-fifth street.
MRS. LYDIA HOYT.....	20 Washington square.



## OFFICERS OF THE HOUSE.

---

### Acting Superintendent.

A. C. COLLSON.

### Assistant Superintendent.

B. H. GALLUP.

### Director of Industries.

A. C. COLLSON.

### Clerk.

GEORGE B. DIXON.

### Bookkeeper.

MISS H. L. UNDERHILL.

### Steward.

WILLIAM J. CALLAHAN.

### Principal of Schools.

MISS FRANCES E. DEANE.

### Vice-Principal.

MISS ANNETTE M. ARNOLD.

### 2d Vice-Principal.

MRS. FLORENCE W. TRUE.

### Teachers.

MISS MARY A. ALLEN,  
MISS LOUISE ANDERSON,  
MISS LULA E. BURNS,  
MISS K. R. BYRNE,  
MISS ELOISE E. CLARK,  
MISS HELEN COOK,  
MISS JEAN FORRER,  
MRS. M. E. GUIREY,

MISS MARY W. HAM,  
MRS. ROSALIE F. MORSE,  
MISS LAVINIA M. OLIVET,  
MISS MARY B. PELTON,  
MISS EMMA E. RICH,  
MISS I. A. STONE,  
MRS. E. H. STEBBINS,  
MISS CAROLINE WAUDELL.

**Matron.**

In charge of Girls' Department and of Boys' Primary Department.

MISS ANNE BARDEN.

**Assistant Matrons.***Girls' Department.*

MISS ANNIE F. MARLOWE,	MRS. A. B. CURDO,
MRS. A. W. BENEDICT,	MISS M. CONGDON,
MISS ELIZABETH F. CROLY,	MISS ANNIE MACKENZIE.

*Boys' Primary Department.*

MRS. J. GILLESPIE,	MISS H. A. MCCLYMONT,
MRS. A. LEHBRINK,	MRS. K. MARTIN,
MRS. P. OVERLAND.	

**Physician.**

R. VAN SANTVOORD, M. D.

**Oculist.**

C. COLE BRADLEY, M. D.

**Dentist.**

H. C. GRIFFITH, D. D. S.

# STATE OF NEW YORK.

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No. 46.

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## IN ASSEMBLY,

FEBRUARY 3, 1896.

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### SEVENTY-FIRST ANNUAL REPORT

OF THE

MANAGERS OF THE SOCIETY FOR THE REFORMATION  
OF JUVENILE DELINQUENTS IN THE CITY OF NEW  
YORK.

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*To the Legislature of the State of New York and to the Corporation of the City of New York:*

In accordance with the requirements of their act of incorporation — chapter 126, Laws of 1824 — the managers of the Society for the Reformation of Juvenile Delinquents in the City of New York present their annual report for the year ending September 30, 1895.

Within this year the institution, the House of Refuge at Randall's island, New York city, has cared for 1,119 children. During the year 385 children have gone out, and there remain in the House of Refuge, October 1, 1895, 734 children; in detail, 563 white boys, 70 white girls, and 79 colored boys, and 22 colored girls.



It can not be impressed too strongly on your honorable bodies that the total number of children in the institution October 1st, of the present year, is 118 in excess of the number within its doors the same date a year ago. So, too, for the year just ended, the weekly average number of children cared for by the House of Refuge has been 663 as compared with 568, the weekly average for the year preceding. So, too, for the present year, the total of new commitments has been 503, as compared with 383, the total for the year preceding.

The managers beg that these figures may be kept in mind in considering the recommendations made by them in the sequel of this report.

Commitments of children to the House of Refuge are made by the magistrates of the cities of New York and Brooklyn and of the following counties: Kings, Richmond, Suffolk, Queens, Westchester, Orange, Rockland, Dutchess, Putnam, Columbia, Sullivan, Ulster, Greene, Albany, Schoharie and Rensselaer.

The managers exercise no control over the number of children so sent to them, this number lying wholly in the discretion of the magistrates making the commitments.

For a description of the grounds and buildings belonging to the institution, as well as an outline of its government and workings, see page 53 of this report.

For a list of the former and present managers of the institution, see page 56 of this report.

On September 6, 1895, Mr. Vincent M. Masten, who had been superintendent of the institution since June 1, 1894, resigned that position, in which he has been succeeded as acting superintendent by Mr. A. C. Collson, who for some time past has been director of the industries carried on in the house.

Mr. Collson is still such acting superintendent; his reports, both as acting superintendent and as director of the industries, will be found at pages 22 and 42 of this report.

Mr. Collson's report on the industries of the house is so complete as to make unnecessary further reference to the subject, except so far as the recommendations hereinafter contained render such mention essential.

The primary department for the youngest boys, to which extended reference was made in the last annual report, has, since the beginning of the year, been in full operation. The department is in exclusive charge of women employes. In it, at this date, are 120 boys. The results obtained in this department prove the wisdom of its establishment. The separation of the smaller boys, those already in the house as well as the newcomers, from older companions has made the former to be again little children and to lose in a great measure that precocious development, so unpleasant to see in young boys, and which is sure to result from mixing them with older playmates.

September 1, 1895, Mrs. H. M. Allen, who since July, 1893, had Barden's duties in the girls' department, she is charged with the has been there succeeded by Miss A. Barden. In addition to Miss Barden's duties in the girls' department, she is charged with the care of the primary department.

Mr. R. N. Brace, the visitor of the board (see his report), after the most satisfactory performance of its duties, resigned that position September 30, 1895, to enter the employment of the Children's Aid Society, with which his family has for so many years been identified. Mr. Brace has been succeeded as visitor by Mr. J. W. Higgins. The statistics reported by Mr. Brace are full of interest and encouragement.

In the schools of all divisions the policy determined on by the board of placing all the classes in charge of women teachers, has gradually and fully been carried into effect. The results have more than justified the expectations. The influence of refined and kindly women over the class of boys committed to our care, who for the most part have never come under any such influence, can not be appreciated until seen in the actual experiment.

All the schools attached to the house are at this date in the charge, as principal, of Miss Frances E. Deane, who is assisted by a staff of seventeen teachers, exclusive of the vice-principal, Miss Annette Arnold. Seven of these teachers are assigned to as many classes (one of which has been newly established within the year) in the schools of the second division, which embraces



the oldest boys and those of more mature development; seven teachers similarly are in the classes of the schools of the first division (where also a new class has within the year been established) which is composed of boys of intermediate age and development; the schools attached to the primary department for the youngest boys and to the girls' department have each two teachers. In each of these last named departments, which contain many young and backward minds, an additional teacher is urgently needed. The present classes are altogether too large.

Taking the institution as a whole, the schooling received by the children while they are the wards of the society is the only consecutive and consistent school training which most of them have ever had or are likely to receive. The conditions of life from which they come to the house or to which they go on leaving it, necessarily are not favorable to instruction. It is beyond question, therefore, that no expenditure should be withheld which is required to render the schools of the house, within their limit of imparting a plain and useful education, as efficient as possible.

The new school furniture, with which under last year's legislative appropriation, part of the class-rooms in the first and second divisions have been equipped, has done much to improve the *morale* and discipline of the classes. It is hoped that this year an appropriation may be granted, so as to enable the remaining class-rooms in all four departments similarly to be refurnished. The single-seated desk is found to have many advantages over the double-seated pattern.

The annexed report of the principal of schools is from the pen of Mr. B. H. Gallup, who obligingly served as acting principal during the period of transition ending with the recent arrival of the present principal of schools, Miss Frances E. Deane.

The change of the dormitories of the first division from closed or cells to open dormitories with floors set with bedsteads — a change made possible by the special appropriation of last year — has been completed, and the boys of that division are now sleeping in their remodeled quarters.

The present light and airy appearance of these dormitories fully justifies the legislative wisdom in authorizing their rear-



rangement by removing the former cell-like structures they contained, which must always have exercised a depressing and perhaps baneful influence on the children.

In addition, the minor improvements, also made possible by last year's supply bill, have substantially been completed, to wit: the guard-house or place of temporary detention for unruly boys; the paint shop; the machine shop, and the blacksmith shop.

The discipline and order of the house throughout the year have been satisfactory.

The general health of the children has been good; the physician's report, with that of the oculist, will be found at pages 36 and 37 hereafter.

During the present year, for the first time, careful attention has been given to the teeth of all the children in the house by Dr. H. C. Griffith, a dentist regularly employed by the board for that purpose, whose report appears hereafter at page 39.

Regular religious services, both Protestant and Roman Catholic, continue to be held every Sunday, morning and afternoon, and at other times the children are ministered to by a Protestant and by a Roman Catholic clergyman; the former, the Rev. Robert Rogers, is maintained at the house by the New York Protestant Episcopal City Mission Society, and the latter, the Rev. J. C. Hart, S. J., entirely at the expense of the church he represents.

We now come to the requests and recommendations for legislative appropriations.

The children in the house October 1, 1895, being 734 as compared with 616 October 1, 1894, and the weekly average for the year just ended being 663 as compared with 568, the weekly average for the year ending September 30, 1894, the managers of the House of Refuge are compelled to ask, against the marked and steady growth of its population, that the appropriation for maintenance for the year ending September 30, 1897, be increased to \$165,000 from \$135,000, the maintenance appropriation for the current year ending September 30, 1896.

The same reason, foreseen and apprehended by the managers at the time the maintenance appropriation for the present year ending September 30, 1896, was fixed by the Legislature, compels them to apply at once to the Legislature for a supplementary ap-

appropriation of \$15,000, in aid of the maintenance appropriation just spoken of, which, with our increasing population, is inadequate to keep the institution abreast of the best standards of reformatory management, particularly in the branch of manual or industrial training, which is so generally recognized as a most important factor in the regeneration of perverted youth, in illustration of which the successful experience in that regard of the Elmira Reformatory, with delinquents of more advanced age, is a good example. Indeed, without this supplementary appropriation now asked for, the various industries authorized by last year's legislation in furtherance of this object of manual training can not, with our growing number, be put into satisfactory operation.

If training in schools and workshops has the reforming influences so generally acknowledged as the best to which young delinquents can be subjected, then there is every reason that liberal means should be provided to place the children in our care during the early and plastic period of their lives, under the effect of the wholesome influences referred to.

The care and custody of the constantly growing number of children committed to the institution, their proper physical maintenance, their schooling and their industrial training, which last is not the least in importance, render this need for an immediate and supplementary appropriation most imperative.

The present rate of expenditure is inadequate to the efficient support and management of this institution.

It is hoped that at the earliest moment of the session an act may be introduced and passed, making this supplementary appropriation available.

Under the head of special appropriations for specific purposes, the managers ask for an appropriation of \$53,100.

This \$53,100 is subdivided into the following requirements:

(1) For continuation of open dormitories.....	\$12,000
(2) Plumbing for water-closets, etc.....	4,000
(3) On account of laundry building and equipment.....	10,000
(4) On account of electric plant, engine, dynamo and equipment.....	12,000
(5) New troughs and water pipes in lavatories, first and second dormitories.....	3,000



(6) Additional school furniture.....	\$1,600
(7) New iron bedsteads for first and second divisions, and fittings.....	6,000
(8) Steam pipes, radiators.....	3,500
(9) Wood-working machinery.....	1,000
	<hr/>
	\$53,100
	<hr/>

A further appropriation of \$12,000 (1) is asked in aid of the change from cells to open dormitories in the second division, being in continuance of the policy adopted in recent years, and under which from time to time the dormitories in the girls', in the primary and in the first division departments have undergone this much-needed change and improvement.

An appropriation of \$4,000 (2) toward plumbing for water-closets, etc., is rendered necessary for the following reasons: The dormitories of the first and second divisions still have closets and slop-basins at each end, protected only by small screens. They are old-fashioned, much worn, insufficient in number, imperfectly ventilated, do not in any manner meet the requirements of the board of health, not even being closed in; in addition to being unsanitary and unsightly, they are sadly inadequate to the needs of the present number of inmates. Other closets throughout the buildings need overhauling and renovating.

As to (3) a laundry efficient in size and plant, not only to supply the wants of the institution not met by the present wholly inadequate and cramped facilities, but also to train a class of boys into efficient laundrymen — a kind of workmen much needed in large institutions such as hotels, etc. — is sought this year, and it is hoped will be given. In a reformatory, the effect upon the nature and disposition of the children of the character and origin committed to the House of Refuge, produced by an abundant supply of clean sheets, towels, shirts, clothes, socks, etc., the effect produced by this influence as a regenerating agency, can not be over-estimated, and is not over-estimated by those who come in contact with children of the character referred to:

As to (4) the appropriation of \$12,000, asked for on account of electric light plant and lighting equipment, no part of the institu-



tion is adequately lighted by the present gas plant which is worked to its utmost capacity and beyond. There is not a sufficient supply of light, either in the school-rooms, workshops or dormitories. In the schools the supply is such as to impose an injurious strain on the average eyesight — no slight matter in our long winters and early evenings; in the shops not only is the same true, but many of them can not be used at all when the natural light for any reason fails, and in or towards evening. In the dormitories, now open and therefore consuming an extra supply of light, the light furnished by the existing gas plant is so poor as to make it impossible for the children to read during the hour allowed for that purpose before actually retiring to bed. Apart from the satisfactory lighting of the workshops, school-rooms, dormitories, yards and buildings generally, the ability afforded by electricity to light up instantly and suddenly any part of the buildings or grounds, is of immense assistance in the supervision and discipline of the institution, notably in case of disturbance among the children, in the case of fire, and in other like cases. In the matter merely of precaution against fire, it would be a great advantage to supply the house with an electric plant, and in open dormitories, each occupied by a large number of boys, it is almost essential that electricity should be used for lighting, and not gas with its exposed flame and concomitant of matches.

As to (5) the appropriation of \$3,000 for lavatory arrangements, the present accommodations for personal washings are insufficient and should be improved. The physicians attached to the institution have called the attention of the managers to the constant danger of the spread of troublesome eye diseases, which can not be efficiently guarded against without greatly increased facilities of this nature, the present number of inmates not now being suitably provided for. See the accompanying reports of the acting superintendent and the oculist.

As to (6) the appropriation for additional school furniture, see *supra*, and the report of the acting superintendent.

As to (7) the appropriation of \$6,000 for new iron bedsteads; the present bedsteads have been in use for many years; a large number are broken and difficult to repair. Iron bedsteads made for institutions are now generally supplied with mattresses of

wire netting, and require no other, with the result that they are easy to keep clean and fresh in the particulars which will naturally occur to persons familiar with institution management.

As to (8) the appropriation of \$3,500 for steam pipes and radiators: large dormitories of the size of ours — that is upwards of 50 by 100 feet, and some shops and other rooms — are not sufficiently heated, and require more pipes and radiators. The cold during the winter months is so intense that the children, to keep warm, are often compelled to go to bed as soon as they reach their quarters.

As to the appropriation (9) of \$1,000 towards wood-working machinery; its purpose, in addition to imparting to the boys instruction in a useful and valuable industry, is to enable the repairs and improvements of the institution to be more speedily and economically executed. At present we have in our wood-working department no machinery; its need is constantly felt. See the report of the director of industries.

The board invites, most cordially, all interested persons, especially committing magistrates of the cities of New York and Brooklyn and of the river counties, to visit and inspect at all times the institution. Its general thrifty and efficient appearance will strike the most cursory observer.

The tug "Refuge" leaves for the island — a five minutes' crossing — from the foot of East One Hundred and Twenty-fifth street, at the hours below. The foot of East One Hundred and Twenty-fifth street is reached by both elevated railroads in connection with the One Hundred and Twenty-fifth street cable cars running to the East river. The tug leaves this point on week days as follows:

9.00, 9.30, 10.00, 10.30, 11.00, 11.30 A. M.; noon, 1.30, 2.00, 2.30, 3.00, 3.30, 4.00, 4.30, 5.00, 5.30, 6.00, 7.30, 8.30, 9.30, P. M. On Sundays at 8.25, 10.15 A. M., 12.25, 1.55, 8.30, 9.30, 10.00 P. M.

All of which is respectfully submitted,

ALEXANDER E. ORR,

*President.*

WILLIAM BRADFORD,

*Secretary*

*September 30, 1895.*



# Report of the Treasurer.

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OCTOBER 1, 1894, TO SEPTEMBER 30, 1895.

## *Dr.*

Balance October 1, 1894.....	\$5,882 27
Comptroller, general fund .....	127,830 18
Miscellaneous earnings .....	629 65
Board of education, New York city.....	5,593 36
All other sources.....	529 41
Total.....	<u>\$140,464 87</u>

## *Cr.*

### Repairs to old boiler-house:

Steam-fitting .....	\$1,995 00
Iron work .....	400 00
Mason work .....	725 00
Balance of architects' commission.....	384 15
Extra steam-fitting work on new boiler plant and north wing, girls' building.....	99 11
Extra mason and carpenter work on boiler plant and north wing, girls' building.....	701 50
Commission on extra work of V. J. Hedden & Sons and Gillis & Geoghegan.....	40 03
Iron plates for boiler plant.....	75 24
To consultations, plans, etc., renew boiler-house....	200 00
Salaries.....	16,360 20
Wages.....	39,362 03
Expenses of managers, etc.....	507 56
Provisions.....	28,820 62
Household stores.....	7,975 37
Clothing.....	19,302 01
Fuel and lights.....	12,487 83



Hospital and medical supplies.....	\$260 63
Shop, farm and garden supplies.....	12,166 66
Ordinary repairs .....	3,260 53
Transportation of inmates.....	352 31
Miscellaneous.....	7,668 21
<hr/>	
Total.....	\$153,143 99
Less home products.....	16,487 40
<hr/>	
	\$136,656 59
Balance.....	3,808 28
<hr/>	
	\$140,464 87
<hr/>	
Balance in bank to credit of society September 30, 1895.....	\$3,808 28
<hr/>	

### Changing Dormitories.

#### *Chapter 726, Laws of 1893.*

Balance in bank October 1, 1894.....	\$223 53
By cash, State Comptroller.....	8,459 77
<hr/>	
	\$8,683 30
Paid balance of account changing dormitories.....	8,459 77
<hr/>	
Balance.....	\$223 53
<hr/>	

### New Boiler Plant.

#### *Chapter 358, Laws of 1894.*

By cash, State Comptroller.....	\$15,500 00
Paid balance of account new boiler plant.....	15,500 00
<hr/>	

### New Dock.

#### *Chapter 358, Laws of 1894.*

By cash, State Comptroller.....	\$1,850 00
Paid for new dock.....	1,850 00
<hr/>	

**Paint Shop.***Chapter 932, Laws of 1895.*

By cash, State Comptroller.....	\$1,056 00
Paid on account of paint shop.....	1,056 00

Rerunning watchman's time detector, fire alarm system and construction of an electric bell system:

*Chapter 932, Laws of 1895.*

By cash, State Comptroller.....	\$300 00
Paid on account electric system, etc.....	300 00

**Guard House.***Chapter 932, Laws of 1895.*

By cash, State Comptroller.....	\$3,008 00
Paid on account of guard-house.....	3,008 00

**Changing Dormitories.***Chapter 932, Laws of 1895.*

By cash, State Comptroller.....	\$1,968 00
Paid on account of changing dormitories.....	1,968 00

*September 30, 1895.*

Examined and found correct.

E. M. TOWNSEND,  
FREDERIC BRONSON,  
RICHARD H. EWART,  
*Finance Committee.*

**Library Fund.**

Amount invested in bond and mortgage.....	\$11,000 00
Amount on deposit in savings bank.....	1,039 48
	<hr/>
	\$12,039 48

*September 30, 1895.*

FREDERIC BRONSON,  
*Treasurer.*

Statement of the Receipts and Disbursements of the Industrial  
Department for the Fiscal Year ending September 30,  
1895.

Balance in bank, October 1, 1894.....	\$198 42
Received cash from sales of products during the year,	20,718 32
	<hr/>
	\$20,916 74
Paid during the year for wages, materials and all operating expenses .....	20,477 24
	<hr/>
Balance to credit of department September 30, 1895,	\$439 50
Due from sales of products.....	972 79
Value of goods finished and in process of finishing, and materials and supplies on hand at cost.....	1,644 37
	<hr/>
	\$3,056 66
	<hr/> <hr/>

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Statement of Net Expenses for Maintenance for the Fiscal  
Year Ending September 30, 1895.

Amount of stores on hand October 1, 1894.....	\$7,998 99
Paid for supplies and improvements during the year,	132,036 56
	<hr/>
	\$140,035 55
Amount of stores on hand September 30, 1895.....	4,225 79
	<hr/>
Net expenses for the year.....	\$135,809 76
	<hr/> <hr/>



## Report of the Superintendent.

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*To the Managers of the Society for the Reformation of Juvenile Delinquents in the City of New York:*

Gentlemen.— In the following report the writer will endeavor to give something of an idea of the efforts made, and the results obtained during the year ending September 30th last.

Our numbers have steadily increased since our last report, until the census of October 1st is 734 against 616 one year ago.

There has been a healthy growth in all departments. Two higher classes have been organized in the boys' school; at present the common schools are entirely under the control of women; a principal, vice-principal, seventeen teachers, with a music teacher constitute the staff.

During the vacation weeks the old and worn out floor of the first division school-room was renewed, and the dilapidated double desks in a part of the first and second divisions class-rooms were replaced by new single desks. By this change the appearance of the room has been greatly improved; the same change is needed in all the other class-rooms of the school as the single desks are much preferred to the double ones, being conducive of better discipline.

The first division dormitories have been undergoing a change from the old system of cells to that of the open dormitories. This will be completed in a short time, and will furnish sleeping room for more children than the old system. Nearing completion are the guard-house and the paint shop, and we have an equipment on the ground for a blacksmith shop, also a complete outfit for a machine shop. When these two departments are installed, they will add two more branches to our industrial trades, and will provide employment and instruction for at least forty more boys than are now receiving instruction in the different trade departments, a more complete account of which will be found in my report as director of industries.

During the bathing season, the salt water bath, which was constructed at the expense of one of the managers, was greatly enjoyed by all of the children of the institution, including the girls, except those who were on discipline or in the hospital at the time of bathing. The privilege of bathing daily was granted to the children who were without demerits the previous week. The discipline of the institution is up to the standard, with fewer cases of corporal punishment than in the previous history of the institution.

The military work of the institution is going forward, the result being that where many youngsters came to us stooped and almost deformed, they are now straight and bear a soldierly appearance. Too much can not be said in favor of military drill judiciously conducted in a reformatory institution. Much more good in this line could be accomplished if an armory or drill hall were provided where the children could be gathered, and receive instruction during the winter and in stormy weather. At present, when the weather is unfit for drill on the play grounds the drill which is so necessary must be dispensed with.

There is an urgent need of some steps being taken to improve our present system of lighting the institution, which has grown considerably beyond the capacity of the gas-producing plant. An electric plant is much needed, and should be provided for, in the near future.

The laundry, which is old and crude in its arrangement and equipment, is totally incapable of turning out the work that is required of it. In this line much improvement could be made, and a more satisfactory appearance would grace the clothing of the inmates, and equally so the bedding, and in fact all washable articles about the institution, as at present the work must be slighted in order to get it through.

A properly equipped laundry, centrally located should be provided to meet the daily felt need in this direction. As our numbers increase harder and more difficult grows this task.

Owing to the increase in the census of the first and second divisions, the wash-rooms or lavatories are overcrowded and some provision will need to be made in the near future for more

room in the basements of the north and south wings, which is at present unused, and with slight alterations would afford sufficient room for time to come.

In many cases it is necessary in the present cramped condition to assign two and in some cases three boys to wash at one bowl. By this much confusion is caused, also much more time is taken to perform the work than would be necessary with a properly planned lavatory.

The writer would urge that at the proper time a sufficient appropriation be asked for to meet this important demand.

In conclusion I wish to thank the managers and employes for the encouragement and hearty support which I have received from all since my appointment upon the resignation of our former superintendent, Vincent M. Masten.

The foregoing report is very respectfully submitted.

A. C. COLLSON,  
*Acting Superintendent.*



TABLE I.

Showing the Number of Children Received and Disposed of  
During the Year Ending September 30, 1895.

Since the opening of the institution, January 1, 1825, the whole  
number of children under its care has been 25,704.

Boys. . . . .	21,214
Girls. . . . .	4,490
	<hr/>
	25,704
	<hr/> <hr/>

On the 1st day of October, 1894, the number of inmates was  
as follows:

White boys. . . . .	465
White girls. . . . .	66
Colored boys. . . . .	66
Colored girls. . . . .	19
	<hr/>
	616

There were received since:

White boys. . . . .	400
White girls. . . . .	45
Colored boys. . . . .	43
Colored girls. . . . .	15
	<hr/>
	503
	<hr/>

Total in the house during the year. . . . .	1,119
	<hr/> <hr/>

There were disposed of during the year:

White boys. . . . .	302
White girls. . . . .	41
Colored boys. . . . .	30
Colored girls. . . . .	12
	<hr/>
	385
	<hr/> <hr/>

Leaving in the house on the 1st of October, 1895:

White boys. ....	563
White girls. ....	70
Colored boys. ....	79
Colored girls. ....	22
	<hr/>
	734
	<hr/> <hr/>

TABLE II.

Showing the Sources Whence 503 Children were Received  
During the Year Ending September 30, 1895.

WHERE FROM.	White boys.	White girls.	Colored boys.	Colored girls.	Total.
New York county.....	142	17	9	5	173
Kings county.....	124	10	20	4	158
Richmond county.....	6	2	1	....	9
Suffolk county.....	12	3	1	2	18
Queens county.....	25	2	4	....	29
Westchester county.....	8	....	1	1	12
Orange county.....	14	....	....	....	14
Rockland county.....	2	....	1	....	3
Dutchess county.....	5	2	2	1	10
Putnam county.....	1	2	....	....	3
Columbia county.....	5	....	....	....	5
Sullivan county.....	2	....	....	....	2
Ulster county.....	6	....	....	1	7
Greene county.....	2	....	....	....	2
Albany county.....	6	1	....	....	7
Rensselaer county.....	6	....	....	....	6
New York Juvenile Asylum.....	3	....	1	....	4
	369	39	40	14	462
Were recommitted.....	18	1	3	....	22
Returned by masters.....	2	3	....	1	6
Returned by officers.....	....	....	....	....	....
Returned by themselves.....	2	....	....	....	2
Returned by friends.....	9	2	....	....	11
	400	45	43	15	503

TABLE III.

Showing the Parentage of 503 Children Received During the  
Year Ending September 30, 1895.

American. . . . .	75
American, colored. . . . .	58
German. . . . .	95
English. . . . .	19
Russian. . . . .	15
Irish. . . . .	157
Italian. . . . .	34
Indian. . . . .	1
Norwegian. . . . .	1
French. . . . .	7
Cuban. . . . .	1
Scotch. . . . .	4
Canadian. . . . .	3
Polish. . . . .	9
Hungarian. . . . .	8
Swedish. . . . .	3
Mixed. . . . .	13

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TABLE IV.

Showing the Offenses of 503 Children Received During the  
Year Ending September 30, 1895.

Petit larceny. . . . .	120
Grand larceny. . . . .	19
Burglary. . . . .	17
Assault. . . . .	9
Vagrancy. . . . .	153
Disorderly. . . . .	167
Malicious mischief. . . . .	5
Larceny. . . . .	5
Arson. . . . .	1
Homeless. . . . .	2
Pocket-picking . . . . .	5

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TABLE V.

Comparing Criminal Offenses with Vagrancy or Truancy and  
Being Disorderly.

YEAR.	Whole No of new commit- ments.	Committed for crime.	Per cent. for crime.	Committed for va- grancy, disorderly, truancy.	Per cent. for vagrancy, disorderly, truancy.
1864.....	502	321	64	181	36
1865.....	730	410	56	320	44
1866.....	750	443	59	307	41
1867.....	682	351	51	331	49
1868.....	603	231	55	272	45
1869.....	452	262	58	190	42
1870.....	406	239	59	177	41
1871.....	551	325	59	227	41
1872.....	407	222	55	186	45
1873.....	484	295	61	189	39
1874.....	636	390	61	246	39
1875.....	638	390	61	248	39
1876.....	788	364	46	424	54
1877.....	699	364	49	355	51
1878.....	625	309	49	316	51
1879.....	368	182	50	186	50
1880.....	547	232	42½	315	57½
1881.....	512	241	47	271	43
1882.....	655	300	46	345	54
1883.....	551	285	52	266	58
1884.....	529	240	45½	289	54½
1885.....	491	246	50	245	50
1886.....	446	207	46½	239	53½
1887.....	433	207	48	226	52
1888.....	330	167	50⅔	163	49⅓
1889.....	360	163	45	197	55
1890.....	275	127	46	148	54
1891.....	269	126	47	143	53
1892.....	280	120	42 6-7	160	57 1-7
1893.....	318	140	44	179	56
1894.....	336	131	39	205	61
1895.....	503	181	36	322	64

TABLE VI.

Showing the Character of the Homes, Social Condition of the  
Family, Habits and Antecedents of the Children Before Com-  
mitments.

Whole number of examinations.....	341
1st. Character and condition of homes:	
Resided in private houses.....	47
Resided in tenement-houses and shanties.....	218
Had no homes.....	26

Homes comfortably furnished.....	183
Homes not comfortably furnished.....	91

## 2d. Social condition of the families:

Fathers living. . . . .	146
Mothers living. . . . .	131
Parents separated. . . . .	17
Stepfathers. . . . .	23
Stepmothers. . . . .	44
Temperate fathers and stepfathers.....	164
Temperate mothers and stepmothers.....	180
Intemperate fathers and stepfathers.....	48
Intemperate mothers and stepmothers.....	19
Parents having property other than household furniture..	27
Parents having no property other than household furniture	230
Unknown. . . . .	13

## 3d. Habits and antecedents of children before commitment:

Attended school regularly.....	63
Attended school irregularly or not at all.....	236
Were regularly employed.....	78
Were habitually idle.....	167
Unknown as to idleness.....	31
Were truants. . . . .	186
Were arrested before. . . . .	117
Had been inmates of other institutions.....	83

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Per cent. Summary of Table VI.

	1886.	1887.	1888.	1889.	1890.	1891.	1892.	1893.	1894.	1895.
Tenements.....	80 $\frac{1}{2}$	88	83	94	86	82	76	74	78	81
Comfortable.....	77 $\frac{1}{2}$	83	76	74 $\frac{1}{2}$	85	87	72	76	67	72
Temperate fathers.....	62	67	62	57	65	66	76	65	67	64
Temperate mothers.....	70	82	72	73 $\frac{1}{2}$	78	79	81	80	76	78
No property.....	77	88	82	83 $\frac{1}{3}$	87	87 $\frac{1}{2}$	81	83	82	83
Irregular school attendance.....	70	69	74 $\frac{1}{2}$	73	79	73	65	76	84	83
Idle.....	68	62 $\frac{1}{2}$	66	74	76	78	70	77	46	16
Truants.....	53	63	63	67 $\frac{1}{2}$	71	65	50	69	66	72
Previously arrested.....	40	39	40	44 $\frac{2}{3}$	44	41	35	39	41	44
Were in other institutions.....	28	31	33	32 $\frac{2}{3}$	31	36 $\frac{1}{2}$	37	34	36	37



TABLE VII.

Showing the Disposition of 385 Children During the Year  
Ending September 30, 1895.

	White boys.	White girls.	Colored boys.	Colored girls.	Total.
Died .....	3	.....	.....	.....	3
Discharged to friends .....	263	24	28	3	318
Discharged to hire .....	4	.....	2	.....	6
Discharged Kings county hospital.....	2	.....	.....	.....	2
Discharged to Children's Aid society.....	17	.....	.....	.....	17
Discharged to Society P. C. to C .....	1	.....	.....	.....	1
Discharged Dept. P. C. & C., N. Y .....	1	.....	.....	1	2
Returned to court.....	6	.....	.....	.....	6
Escaped .....	.....	.....	.....	.....	.....
Indentured to farming .....	6	.....	.....	.....	8
Indentured to housewifery .....	.....	17	2	5	22
Total.....	303	41	32	9	385

TABLE VIII.

Showing the Length of Time those Disposed of During the  
Year Ending September 30, 1895, had been in the House.

Were in less than 1 month.....	14
Were in 2 months.....	10
Were in 3 months.....	4
Were in 4 months.....	1
Were in 5 months.....	2
Were in 8 months.....	1
Were in 9 months.....	1
Were in 10 months.....	1
Were in 11 months.....	3
Were in 12 months.....	8
Were in 13 months.....	15
Were in 14 months.....	16
Were in 15 months.....	60
Were in 16 months.....	47
Were in 17 months.....	31
Were in 18 months.....	29
Were in 19 months.....	15

Were in 20 months.....	11
Were in 21 months.....	7
Were in 22 months.....	10
Were in 23 months.....	5
Were in 24 months.....	12
Were in 25 months.....	9
Were in 26 months.....	13
Were in 27 months.....	4
Were in 29 months.....	7
Were in 30 months.....	7
Were in 31 months.....	2
Were in 32 months.....	3
Were in 33 months.....	2
Were in 34 months.....	1
Were in 35 months.....	3
Were in 36 months.....	6
Were in 37 months.....	2
Were in 38 months.....	2
Were in 39 months.....	2
Were in 40 months.....	1
Were in 42 months.....	1
Were in 43 months.....	2
Were in 46 months.....	1
Were in 47 months.....	1
Were in 48 months.....	1
Were in 49 months.....	1
Were in 51 months.....	1
Were in 52 months.....	1
Were in 53 months.....	1
Were in 55 months.....	1
Were in 70 months.....	1
Were in 72 months.....	2
Were in 83 months.....	1

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Average time in the house, 19 months, 16 days.

TABLE IX.

Showing the Number of Inmates Weekly for the Year Ending  
September 30, 1895.

DATE.		Boys.	Girls.	Total.
October	7.....	517	87	604
October	14.....	517	88	605
October	21.....	516	89	605
October	28.....	523	90	613
November	4.....	526	89	615
November	11.....	526	90	616
November	18.....	533	89	622
November	25.....	539	88	627
December	2.....	540	88	628
December	9.....	538	85	623
December	16.....	533	85	618
December	23.....	536	87	623
December	30.....	538	87	625
January	6.....	535	86	621
January	13.....	539	85	624
January	20.....	540	85	625
January	27.....	547	85	632
February	3.....	550	86	636
February	10.....	544	82	626
February	17.....	541	81	622
February	24.....	548	82	630
March	3.....	542	83	635
March	10.....	546	81	627
March	17.....	552	82	634
March	24.....	565	84	649
March	31.....	570	84	654
April	7.....	563	81	644
April	14.....	564	82	646
April	21.....	578	83	661
April	28.....	580	84	664
May	5.....	571	81	652
May	12.....	581	80	661
May	19.....	589	81	670
May	26.....	595	83	678
June	2.....	608	85	693
June	9.....	607	85	692
June	16.....	620	82	702
June	23.....	625	83	708
June	30.....	645	84	729
July	7.....	650	83	733
July	14.....	645	83	728



Table IX — (Continued)

DATE.		Boys.	Girls.	Total.
July	21.....	637	84	721
July	28.....	642	87	729
August	4.....	625	88	713
August	11.....	633	86	719
August	18.....	631	87	718
August	25.....	639	89	728
September	1.....	647	92	739
September	8.....	635	86	721
September	15.....	632	90	722
September	22.....	633	91	724
September	29.....	637	92	729

Weekly average number, 663; daily average number, 648.

TABLE X.

Work Done by the Girls During the Year Ending September 30, 1895.

Dresses made.....	395
Night dresses made.....	125
Girls' aprons made.....	274
Chemises made .....	302
Drawers made.....	201
Skirts made .....	162
Waists made.....	70
Shirts made .....	2,174
Sheets made.....	976
Pillow-cases .....	537
Bedticks made.....	12
Laundry bags made.....	29
Caps made .....	9
Machine covers made.....	27
Stockings hemmed (pairs) .....	45,205
Towels hemmed.....	1,931
Napkins hemmed.....	182
Table-cloths hemmed.....	12
Neckties hemmed.....	63

Stockings repaired (pairs).....	3,195
Garments repaired.....	60,582
Pieces laundried.....	203,929
Pillow shams hemmed.....	10
Wash cloths hemmed.....	118
Spreads hemmed.....	157

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## Report of the Physician.

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*To the Managers of the Society for the Reformation of Juvenile Delinquents in the City of New York:*

The whole number of inmates during the year ending September 30, 1895, was 1,119.

There have been 586 cases of illness, injury or operation of sufficient severity to require detention in the hospital. Among these were twelve cases of scarlet fever, four of pneumonia, three of pleurisy, four of favus, five of scabies (itch), one of erysipelas, twenty-six of grip and one of diphtheria. At my request the oculist, Dr. C. C. Bradley, has drawn up a separate report concerning the diseases of the eye.

The cases of scarlet fever all occurred in boys who had been inmates of the institution for some months. It was probably introduced by visitors. All the cases were transferred either to the Willard Parker hospital, or to North Brother's Island. None of the favus cases were acquired in the institution. One of the cases of scabies we admitted in the incipid stage of the disease, and the rest were the result of contagion. The case of diphtheria occurred in a recently admitted boy, who doubtless brought the disease with him. He was promptly removed to the Willard Parker Hospital, and our hospital ward was put in quarantine. A sufficient time has now elapsed to render improbable the appearance of any cases from that source of contagion.

Two deaths have occurred in the institution. One from pneumonia complicated by acute nephritis, one from suppurative nephritis in the case of a boy suffering from incontinence of urine of long standing, upon whom I performed a slight urethral operation. In this case there was probably latent antecedent kidney disease. A third boy died at North Brother's Island of complications following scarlet fever.

Respectfully submitted,

R. VAN SANTVOORD, M. D.

*Physician.*



## Report of the Oculist.

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*To the Managers of the Society for the Reformation of Juvenile Delinquents:*

Gentlemen.— During my past year's service as attending oculist to the House of Refuge the following cases have been treated:

Trachoma . . . . .	147
Chalazion . . . . .	6
Hordeolum . . . . .	11
Blepharitis Marginalis . . . . .	11
Conjunctivitis (Catarrhal and Phlyctenular) . . . . .	81
Strabismus . . . . .	8
Corneal Opacity . . . . .	14
Keratitis (Phlyctenular and Parenchymatous) . . . . .	2
Cataract (Traumatic) . . . . .	1
Wound of Cornea and Iris . . . . .	1
Hyphaema (Traumatic) . . . . .	2
Choroditis (Disseminata) . . . . .	2
Examinations for Refractive Errors . . . . .	131

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The most important cases have been those of that contagious disease of the lids, trachoma. Of the number treated seventy-three exhibited it on admission; 114 were discharged as cured — sixty-four of these having required operation.

To avoid the extension of the disease strict rules have been formulated regarding the washing. Each boy has his own towel as formerly. The trachoma patients have marked towels, which are washed separately, and suspended in a part of the lavatory devoted to the boys suffering from eye disease. As much is done as possible toward isolation, but the space in the lavatory is too cramped to afford proper facilities for perfect segregation of the patients.

The eradication of this disease from any institution containing

children is an impossibility, for new admissions must bring fresh cases. The best that can be done is to reduce it to a minimum, prevent its extension and combat its tendency to cause more serious ocular mischief.

Respectfully submitted,

C. COLE BRADLEY,

*Attending Oculist.*

September 30, 1895.

# Report of the Dentist.

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*To the Managers of the Society for the Reformation of Juvenile  
Delinquents in the City of New York:*

The dental operations performed by me from February 27 to  
September 30, 1895, inclusive, were:

Number of teeth and roots of teeth extracted.....	910
Number of teeth treated and devitalized.....	661
Number of teeth filled, platina and cement.....	765
Number of teeth filled with gold (donated).....	2
Number of teeth (sets) cleaned and treated.....	90
Number of crowns (donated), aluminum.....	1
Number of artificial plates donated.....	2

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Respectfully submitted,

H. C. GRIFFITH, D. D. S.,

*Dentist.*

Appointed February 27, 1895.



## Report of the Visiting Agent.

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*To the Board of Managers:*

Gentlemen.—During the past year the work of visitation has been carried on by me on the lines laid down in the last annual report.

Out of a total of 1,300 visits, about one-half were made for the purpose of keeping watch of the boys discharged to New York city and Brooklyn since April 1, 1894. The other visits were made to the homes of inmates either for the sake of investigation or in order to take messages from the boys to their parents. Visits of this latter character not only tend to make the boys more contented, but also establish friendly relations between their parents and your visitor — a matter of considerable importance in the future prosecution of the work. The discharged boys living in New York city and Brooklyn have each been visited about once in three months. Their condition at present is very encouraging; sixty per cent, are at work, and an additional sixteen per cent., while not working, still are behaving well; fifteen per cent. have been rearrested or returned, and the remaining nine per cent., although behaving badly, have committed no offense serious enough to warrant their arrest. That so large a proportion as seventy-six per cent. should successfully withstand the temptations of a big city, shows that there is splendid material among these boys, and should greatly encourage all who are working in their behalf.

My work in the office has increased during the past year, partly because my correspondence has grown, and partly because I have devoted more time to the record-books than formerly. This has become necessary, as it devolves on the visitor to know what boys are eligible for discharge, and when eligible why they are still in the house. It has always been the policy of the House of Refuge to let a boy go as soon as it was considered best for him; never to keep him because he was useful to the institu-

tion. For this reason much of the time of the visitor is spent in trying to find openings for those boys who have been long in the house.

My intercourse with the boys has been even more intimate and friendly than during the previous year. Whether this has been a benefit to them or not, it is certain that to me it has been a source of pleasure and profit. During the time in which I have been in the service of the house I have met with nothing but kindness from its officers and managers. In closing I wish to express to your board my gratitude for the consideration shown me and the help offered in prosecuting my work.

Very respectfully,

ROBERT NEIL BRACE,

*Visiting Agent.*

House of Refuge, *September 30, 1895.*

# Report of the Director of Industries.

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## *To the Managers of the Society for the Reformation of Juvenile Delinquents in the City of New York:*

The technical, or manual training department embraces carpentry, tailoring, shoemaking, printing, painting, engineering, steam and gas fitting, plumbing, horticulture, agriculture, manufacture of hosiery, besides a class in seamanship.

The object of this department is to promote manual and industrial training, thereby inculcating into the lives of the children habits of industry and thrift, so that when they have earned their discharge from our institution they shall be more manly and self-reliant than when they were committed to our care and entered our schools. Only those who frequently examine the work, and see the interest taken and the progress made by the boys in the different departments can gain a satisfactory idea of the work done or the benefit received by those who apply their minds and hands to the work as laid out by the inspector in each department. There are 439 boys receiving practical instruction in the different useful trades.

### **Tailoring Department.**

In this class there are forty-six boys employed, each boy receiving practical instructions in the trade. By these boys all the clothing worn by the boys, except that of the nautical class, is made and kept in repair. Inspection of the clothing is taken daily by the tailor, and boys whose clothing needs repair are sent to the tailor shop, where damaged garments are exchanged for new or mended; in this way the clothing is kept in good condition. The following will show the work done by this class during the past year:

Suits for discharged inmates.....	239
Coats for discharged inmates.....	50
Vests for discharged inmates.....	21



Trousers for discharged inmates (pairs).....	38
Trousers for institution wear (pairs).....	1,371
Coats for institution wear.....	250
Shirts for institution wear.....	1,029
Blouses for institution wear.....	116
Aprons for institution wear.....	319
Overalls for institution wear (pairs).....	85
Hats for institution wear.....	995
Neckties for institution wear.....	2,339
Garments repaired .....	7,602

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The above includes one full outfit of grey sailor uniform, now worn as the every day or working uniform of the institution; also 300 blue sailor uniforms, which is to be the Sunday uniform throughout the institution.

The more advanced boys make the citizen clothes for the boys who have earned their discharge.

### **Shoemaking Department.**

Thirty-six boys in this class receive practical instruction in the trade. By this class all the shoes worn by the boys are made and kept in repair. The shoes worn by the girls are also kept in repair. It is the intention of the writer to be able in the near future to make in this department all shoes required for the girls. Since October 1, 1894, the boys in this class have made 1,584 pairs of shoes and have repaired 4,014 pairs.

### **Carpentry Department.**

The number of boys in this class has increased from thirty to thirty-seven. Upon entering this department a boy is first taught the names and uses of the tools most commonly used in wood-working. As soon as he has become familiar with these he is advanced step by step as he shows skill in perfecting the models represented by blue print working drawings mounted on cards. Boys are taken from the advanced class to do the necessary repairing about the institution. Space will not permit me to give an itemized report of the work done by the boys in this class; it

is extensive and seen in nearly every department throughout the institution.

Two boys from this class assist in the instruction of forty boys from the primary department, who receive instruction in the use of the smaller wood-working tools. This class occupies the large room on the third floor of the south shop. This room has been fitted up with convenient benches and the necessary tools. Many of these lads show marked skill in the use of the saw, plane, chisel, etc., in making lap joints, mortise and tenons, dovetail joints and mitres. Some of these lads become far enough advanced to aid in making articles for use about the institution. These as well as the larger boys work from blue print working cards.

### Printing Department.

There are thirty-two boys in this department. The variety of printing required for the institution gives the boys in this class a practical knowledge of the trade. All the printing for the institution, including the annual report and the institution paper, the "Bright Side," is done by the boys in this class. Several new cases and other furniture, besides a large amount of new type have been added to the department, until it is well equipped and systematically arranged for the instruction of a class in practical printing.

### Painting Department.

This class is composed of seven boys from the second division, and notwithstanding the cramped and unfit condition of our present quarters a surprisingly great amount of painting and glazing has been done by this class.

We are anxiously waiting the completion of our new paint shop, the money for which was appropriated by the Legislature last spring. As soon as our new building is completed, which we trust will be within a few weeks, we shall be able to increase the number of boys in this class, and embrace other branches of the trade in the course of instruction.



### Engineering Department.

There are ten boys who, under the direction of the engineer and two assistants, care for the boiler-room in which there are four large boilers, pumps, etc., from which the power and heat are distributed throughout the institution. Three of the boys are steadily employed in the gas-house, where gas is manufactured for lighting the entire institution. Either one, two or three of these boys, as the work at hand may require, are taken out on jobs of repairing about the institution. Within the broad scope of demands in this line these boys have ample opportunity to gain a practical knowledge of engineering, steam and gas fitting and plumbing.

It is the desire of the writer to be able in the near future to fit up the abandoned boiler-room in the north shop building and convert it into a plumbing department, where this trade can be properly taught in a practical way. In a growing institution as is this, there is an increasing demand for such work, and such a class could be conducted very advantageously, with comparatively little expense.

### Agriculture.

Owing to the small amount of tillable land connected with the institution little opportunity is afforded for farming, other than the raising of such vegetables as the soil is adapted for.

The tables of both the officers and inmates have been supplied with cabbage, corn, tomatoes, beans, turnips, rhubarb, radishes, asparagus and parsnips in their season. There are fourteen boys in this department, and besides caring for the tillable land it is their duty to keep the play grounds and lawns free from foreign matter. Many of these boys find homes on Long Island and in New Jersey, and usually remain until the expiration of their indenture and often longer.

### Horticulture.

The results of the work of the sixteen boys in this department are seen in the trim and well kept lawns. In the winter and spring the two large and systematically arranged greenhouses show the well directed work of the boys who are being schooled in the growing and caring for plants and flowers.



### **The Nautical Class.**

This class is composed of forty boys from the second division. The object of this branch of training is to give to the class of boys who, after leaving our school would choose a seafaring life, a practical and theoretical training, which will make it more easy for them to find employment, either on some of the naval vessels or on some of the merchant ships plying to and from our harbors. The course of instruction taught in this department embraces all that is necessary to turn out a practical sailor. Lessons in splicing, knotting, making, washing and keeping in repair their clothing, also the manufacture of brushes, brooms, mattresses, pillows, etc. The members of this class who show a desire to know how to prepare food are given daily lessons in cooking, and those of the class who are sufficiently advanced in the common school branches are taught the principles of navigation with the aid of a compass, chart and standard instruments. The boys, as a class, receive daily drill on the commodious and completely rigged ship, situated on the front lawn.

### **Bakery.**

Four boys make all the bread for the inmates and the officers of the institution. There are daily five barrels of flour converted into bread. The instruction which a boy receives in this class enables him to secure employment in some one of the many large bakeries in the city.

### **Blacksmith or Forging Class.**

We have the building in readiness and an equipment complete on the ground, and expect to be able within a few weeks to start a class of fifteen boys in this useful trade.

We are also fitting up our machine shop, which has previously been only a repair shop and storeroom. We have been able to secure for this shop a complete equipment, consisting of one large planer, lathes, drills, cutter, grinder, milling machine and a full outfit of small tools sufficient to give instruction to at least eighteen boys. These shops we expect to have in successful working order within a few weeks at the longest.

### Hosiery Department.

While many people condemn this department, and claim that it does not teach a boy a trade, the most that can be said against it is little in comparison to the benefits derived from it in an institution of this kind. This department is not conducted merely for the small revenue which it returns, but mainly as a preparatory training class. One hundred and ninety-seven boys are engaged in this department, 122 of whom are taught to operate the automatic knitting machines, the skillful operation of which can not come short of teaching a boy the foundation principles of industry.

There are comparatively few of the boys who have followed any steady line of employment previous to coming to our institution. The large majority of these boys have spent most of their days in idleness. Boys are assigned to this department with a view to bringing out such ability as they possess. Besides the knitting machines which are located on the second floor of the south workshop, there are on the first floor winders, loopers and topping machines, which are designed to give a boy an idea of accuracy and attention to business. In addition to the work on these machines there are pressing, mending, mating, sorting, and packing done by the smaller boys in this department. Boys are never kept in this department after they have settled down to business, and have proved themselves eligible to promotion to one of the other trade departments.

The writer is much in hopes that the next Legislature will appropriate money to equip a machine room with the necessary woodworking machinery which is almost daily needed in connection with our present carpentry department. At present we have no woodworking machinery, and all our sawing, ripping and planing must be done by hand by the boys in the department. Much time and material could be saved, and much more work accomplished, if the desired machinery were added to our present equipment.

Very respectfully submitted,

A. C. COLLSON,

*Director of Industries.*

# Report of the Acting Principal of Schools.

*To the Managers of the Society for the Reformation of Juvenile Delinquents in the City of New York:*

Gentlemen.—I respectfully submit the following report of the schools for the year ending September 30, 1895:

October 1, 1894, there were in the schools 531 boys and eighty-five girls. Since then there have been received 443 boys and sixty girls, making the total number under instruction during the year, 1,119.

Those received were classified as follows:

## In Reading.

	BOYS			
	1st Div.	2d Div.	Primary.	Girls.
First reader.....	53	24	2	16
Second reader.....	41	22	5	9
Third reader.....	23	19	14	13
Fourth reader.....	9	17	16	2
Fifth reader.....	7	10	.....	3
Total.....	258	133	52	60

## In Arithmetic.

Primer.....	125	41	15	17
In addition.....	125	41	15	17
In subtraction.....	53	24	2	16
In multiplication.....	41	22	5	9
In division.....	23	19	14	13
In United States money.....	9	17	16	2
In fractions.....	7	10	.....	3
Total.....	258	133	52	60



PROMOTIONS.

In Reading.

	BOYS		Primary.	Girls.
	1st Div.	2d Div.		
To first reader.....	109	28	9	12
To second reader.....	108	51	9	30
To third reader.....	116	53	20	31
To fourth reader.....	108	42	22	34
To fifth reader.....	99	34	14	25
	=====	=====	=====	=====

In Arithmetic.

To subtraction.....	109	28	9	12
To multiplication.....	108	51	9	30
To division.....	116	53	20	31
To United States money.....	108	42	22	34
To fractions.....	99	34	14	25
To percentage.....	114	121	2	10
	=====	=====	=====	=====

There are in the school 734 children.

Boys in first division.....	290
Boys in second division.....	251
Boys in primary.....	101
Girls.....	92
	=====

PRESENT STANDING.

In Reading.

	BOYS		Primary.	Girls.
	1st Div.	2d Div.		
Primer.....	15	22	21	3
First reader.....	23	14	8	7
Second reader.....	56	32	6	8
Third reader.....	49	42	22	20
Fourth reader.....	81	73	44	32
Fifth reader.....	66	68	.....	22
	=====	=====	=====	=====
Total.....	290	251	101	92
	=====	=====	=====	=====

## In Arithmetic.

	BOYS		Primary.	Girls.
	1st Div.	2d Div.		
In addition.....	38	34	29	6
In subtraction.....	27	11	6	4
In multiplication.....	29	23	12	8
In division.....	49	42	10	20
In United States money.....	42	35	22	14
In fractions.....	105	72	20	18
In percentage.....	....	34	2	22
<hr/>				
Total.....	290	251	101	92
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## In Other Studies.

Writing on slates.....	59
Writing in books.....	670
Mental arithmetic.....	734
Geography and map drawing.....	299
Language lessons.....	734
Freehand drawing.....	734
Physiology and hygiene.....	734
Civil government.....	734
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## Discharges.

Boys of first division.....	125
Boys of second division.....	174
Boys of primary division.....	33
Girls.....	53
<hr/>	
Total.....	385
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STANDING WHEN DISCHARGED.

In Reading.

	BOYS			
	1st Div.	2d Div.	Primary.	Girls.
In first reader.....	10	5	2	1
In second reader.....	12	14	5	5
In third reader.....	22	27	3	9
In fourth reader.....	44	71	18	23
In fifth reader.....	37	57	5	15
	<hr/>	<hr/>	<hr/>	<hr/>
Total.....	125	174	33	53
	<hr/>	<hr/>	<hr/>	<hr/>

In Arithmetic.

In addition.....	10	5	7	1
In subtraction.....	4	6	2	.....
In multiplication.....	8	8	4	5
In division.....	22	27	8	9
In United States money.....	15	29	7	13
In fractions.....	30	42	2	18
In percentage.....	36	57	3	7
	<hr/>	<hr/>	<hr/>	<hr/>
Total.....	125	174	33	53
	<hr/>	<hr/>	<hr/>	<hr/>

In Other Studies.

Writing on slates.....	23
Writing in books.....	362
Mental arithmetic.....	308
Geography and map drawing.....	195
Language lessons.....	385
Freehand drawing.....	385
Physiology and hygiene.....	385
Civil government.....	385
	<hr/>

Upon the formation of the primary division of boys, on January 1, the classes of the first division, boys' department, were reor-



ganized to correspond with those of the second division, each division being now composed of seven distinct classes.

During the vacation season the school-rooms were renovated, and most of the class-rooms in the boys' school supplied with new single desks; which have given to the rooms a new and improved appearance.

Owing to the delay in obtaining the desks the boys of the second division did not attend school for several weeks; and in consequence no promotions were made in that division at the close of the last quarter.

The construction of the school-rooms, in the boys' department, seriously interferes with the school work. The movable partitions cause free transmission of sound, and the frequent passage of pupils from one class-room through another makes it almost impossible to do uninterrupted work.

I would, therefore, recommend that the present class-rooms having movable partitions, be used for general assembly rooms and at least four class-rooms be built over each play-room with permanent partitions.

The great importance of giving to the inmates an education as an aid to their reformation need not be mentioned.

Most of the inmates come to us with little or no education and will never have any school advantages after leaving our institution. The present time of three and three-quarter hours, now given to the school, seems too short to accomplish the desired results.

I would, therefore, suggest that the school sessions commence at three o'clock and end at eight. This would give one-half hour each day, additional, to school, and not interfere with the time given to the industries.

Respectfully submitted,

B. H. GALLUP,  
*Acting Principal.*

## Description of the Buildings.

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### **Their Uses and the General Management of the Institution.**

The New York House of Refuge, under the incorporated Society for the Reformation of Juvenile Delinquents in the city of New York, is located on the southern part of Randall's Island, fronting on Harlem river, between One Hundred and Fifteenth and One Hundred and Twentieth streets. The premises embrace thirty-seven and a half acres. Divided into lawns, about six acres; yards and building sites, about ten acres; about eight acres in vegetable garden, and the balance is marsh. A sea-wall is built along the front on Harlem river around the southern boundary on little Hell Gate. The buildings, of brick, were erected in 1854, and form a facade of nearly one thousand feet, having accommodation for one thousand inmates — 750 boys and 250 girls. The land was given by the city for the use of the society, and the cost of the buildings was nearly \$500,000. There are two departments, the larger building, 590 feet front, is for the first and second divisions of boys, and the smaller, 250 feet front, is for the primary division of little boys and for girls.

The three divisions for boys and the girls' department are each entirely separate. The yards of each division are divided by a stone wall, twenty feet high.

The building for shelter and recreation for the boys in inclement weather, the school-house with dining-rooms on the first floor, and kitchen, bakery and storehouse are conveniently arranged in the rear of the main boys' building and adapted to the general system of classification.

In each of the yards of the first and second division for boys is a commodious workshop 150 feet long, 30 wide, 3 stories, of brick, supplied with necessary tools, machinery and materials, to give the boys industrial training suitable to their ages and capacity.

Similar buildings for the girls are located in the rear of the main building of the girls' department, where all are taught the common



school branches and the various branches of domestic industry, as washing, mending, making, etc.

The dormitories and officers' quarters for the first and second divisions are in the main building for boys.

The boys' department of the institution embraces, as already stated, three branches: The primary department for the youngest boys, the first division for the intermediate class, and the second division for the oldest boys and those of more mature development. These three divisions are entirely separate, each having its own employes — who in the primary department are exclusively women — its own schools, dining-room, dormitories, playgrounds, etc. The boys and girls attend the same chapel in the main building, the girls occupying the gallery, and the three divisions of boys the ground floor.

Juvenile delinquents under 16 years of age, from the first three judicial districts of the State, are received on commitment by a magistrate only. The children thus committed embrace those convicted of crime in any degree; children are also committed for vagrancy, and for being disorderly and unmanageable by parents or guardians. All are committed during minority, but may be sooner discharged, in the discretion of the managers, if they have a good standing in conduct and studies, and proper homes or employment are provided.

The managers serve without remuneration. The board consists of thirty members, and they are divided into three classes, one of which goes out of office each year.

The managers make all the rules for the government of the institution, appoint all the officers, and fix their salaries. The officers hold their positions during the pleasure of the board.

The time-table daily gives about four hours for school, five and a half hours for work, one hour for military drill, about three hours and a half for meals and recreation, and nine and a half to ten hours in the dormitories.

The officers are a superintendent and an assistant superintendent, a principal of schools, a matron, who has charge of both the primary department for the youngest boys, and the girls' department; a physician, an oculist and a dentist, together with such



subordinate officers, industrial instructors, school teachers (these being exclusively women), and other employes as are required.

The funds for support of the institution are derived from State appropriations. The society was incorporated by the State Legislature March 29, 1824. The first House of Refuge was opened at Madison square and Twenty-third street in the city of New York, January 1, 1825, with nine inmates — six girls and three boys. Since then to the 1st of October, 1895, there have been 25,704 children of both sexes committed to its care. The girls form about seventeen per cent. of the whole number.

The school instruction is substantially the same as that pursued in the common schools and all the children are employed during the hours devoted to work in some mechanical or industrial occupation.

The average length of time inmates are detained in the institution is about nineteen months.

When discharged from the institution they are either given up to friends or indentured as apprentices for a term of years, not however exceeding minority.

*October 1, 1895.*

## Managers.

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### List of Managers of the Society for the Reformation of Juvenile Delinquents in the City of New York from 1824 to 1895.

Those marked thus (\*) are deceased.

Elected.	Retired.
1824 Cadwallader D. Colden*	1832
1824 Stephen Allen*	1852
1824 Peter A. Jay*	1827
1824 John T. Irving*	1829
1824 John Griscom*	1833
1824 Henry J. Wyckoff*	1839
1824 Cornelius DuBois*	1846
1824 Ralph Olmstead*	1835
1824 Robert F. Mott*	1826
1824 Arthur Burtis*	1829
1824 Isaac Collins*	1829
1824 Samuel Cowdrey*	1829
1824 Gilbert Coutant*	1826
1824 John Duer*	1826
1824 Cornelius R. Duffie*	1826
1824 Thomas Eddy*	1829
1824 James W. Gerard*	1829
1824 Joseph Grinnell*	1830
1824 Joseph E. Hyde*	1831
1824 Ansel W. Ives, M. D.*	1831
1824 James Lovett*	1850
1824 Hugh Maxwell*	1848
1824 Henry Mead*	1826
1824 John Stearns, M. D.*	1835
1824 John Targee*	1826
1824 J. M. Wainwright, D. D.*	1827
1825 Robert C. Cornell*	1844

1826	William A. Davis*	1827
1826	Thomas Gibbons*	1827
1826	William F. Mott*	1839
1826	Richard Riker*	1827
1826	Frederic Sheldon*	1834
1826	Peter Sharpe*	1842
1824	Arthur Tappan*	1827
1826	Gabriel Wisner*	1827
1826	Samuel Wood*	1831
1827	Isaac S. Hone*	1830
1827	Herman Averill*	1834
1827	Joseph Curtis*	1829
1827	Willim W. Fox*	1853
1827	James Kent, LL. D.*	1828
1827	Benjamin L. Swan*	1830
1827	David Stebbins*	1829
1827	M. Van Schaick*	1834
1828	John Hunter*	1835
1829	Jacob Harvey*	1842
1829	Rufus L. Lord*	1852
1829	Dennis McCarthy*	1835
1829	Nathaniel Richards*	1834
1829	Najan Taylor*	1830
1829	John W. Wyman*	1826
1830	Russell H. Nevins*	1836
1830	James J. Roosevelt, Jr.*	1861
1830	Frederick A. Tracy*	1837
1830	Robert D. Weekes*	1854
1830	William L. Stone*	1844
1831	Jacob Drake*	1845
1831	William Kent*	1834
1831	Peter R. Starr*	1837
1831	Charles Town*	1832
1832	Silas Brown*	1847
1832	Brittain L. Wooley*	1849
1833	Samuel Stevens*	1844



1834	Benjamin S. Collins*	1844
1834	Eli Goodwin*	1837
1834	John R. Townsend*	1846
1834	John R. Willis*	1844
1835	Augustin Averill*	1853
1835	Ira B. Underhill*	1840
1836	Cornelius W. Lawrence*	1842
1836	Anthony Lamb*	1850
1836	William Mandeville*	1843
1836	Oliver M. Lownds*	1839
1837	Robert J. Murray*	1841
1837	Chandler Starr*	1840
1838	David C. Colden*	1850
1838	Oliver Hewlett*	1839
1838	Rev. C. Hance*	1841
1839	Mahlon Day*	1840
1839	Robert Kelly*	1850
1839	Shepherd Knapp*	1871
1840	Leonard Corning*	1841
1840	Thomas Eddy, Jr.*	1842
1840	Harvey P. Peet*	1850
1840	Marinus Willet*	1841
1841	G. P. Disosway*	1844
1841	Samuel Downer, Jr.*	1846
1841	Israel Russell*	1858
1842	John H. Gourlie*	1854
1842	Charles M. Leupp*	1859
1842	James Marsh*	1856
1843	William Moore*	1844
1843	John T. Adams*	1847
1844	John A. Weeks	
1844	Joshua S. Underhill*	1857
1844	Cornelius DuBois, Jr.*	1845
1845	Mahlon Day*	1854
1845	James N. Cobb*	1870
1845	P. A. Schermerhorn*	1845
1845	Walter Underhill*	1866

1845	James Van Nostrand*	1847
1845	Elias G. Drake*	1856
1845	George J. Cornell*	1857
1846	John W. Edmonds*	1854
1847	T. T. Luquere*	1849
1847	Richard L. Schieffelin*	1849
1847	James W. Underhill*	1866
1847	C. E. Pierson, M. D.*	1855
1847	Linus W. Stevens*	1864
1847	Smith W. Anderson*	1849
1848	Daniel Seymour*	1850
1849	James W. Beekman*	1855
1849	Richard H. Ogden*	1853
1849	John W. C. Leveridge.	H. C.
1850	Benjamin W. Atterbury.	
1850	Thomas W. Gale*	1851
1850	Edgar S. Van Winkle*	1882
1850	George F. Hussey*	1858
1850	M. L. Seymour*	1852
1851	Ogden Haggarty.	1852
1851	Frederick W. Downer.	
1852	Samuel L. Mitchell*	1854
1852	Wm. H. Maxwell, M. D.*	1857
1852	Edmund M. Young*	1865
1853	John J. Townsend*	1889
1853	Andrew Warner.	H. C.
1853	David Sands*	1859
1853	John Bigelow.	1855
1854	Robert Lenox Kennedy*	1857
1854	Richard M. Hoe*	1885
1855	Charles C. Leigh.	1865
1855	Thomas B. Stillman*	1865
1855	William C. Russell*	1864
1855	Oliver S. Strong*	1874
1855	William M. Prichard.	
1855	James P. Cronkhite*	1860
1855	James M. Halstead*	1888

1855	Edgar Ketchum*	1882
1857	Peter Martin*	1873
1857	Mark Spencer*	1859
1857	Henry A. Cram*	1894
1858	D. Jackson Steward	1893
1858	Francis P. Shoals*	1862
1858	William Gale*	1862
1859	Henry H. Barrow*	1862
1859	Henry M. Alexander	1880
1859	William Cromwell*	1873
1859	Joel Rathbone, Albany*	1864
1860	Cyrus P. Smith, Brooklyn*	1877
1862	Henry K. Bogart*	1873
1863	Morris Franklin*	1885
1864	Howard Potter	1866
1864	Henry Q. Hawley	1887
1865	D. Thomas Vail, Troy*	1881
1865	Samuel W. Torrey	1869
1866	George W. Clinton, Buffalo*	1874
1866	Benjamin D. Silliman, Brooklyn	1885
1866	Nicholas D. Herder*	1877
1866	John A. Stewart	1874
1869	Nathaniel Jarvis, Jr.	
1869	Henry G. De Forest*	1874
1871	Charles P. Daly	1885
1871	E. Randolph Robinson	1880
1872	Egerton L. Winthrop	1874
1872	Henry Dudley	
1874	Augustus R. MacDonough	1885
1874	John J. McCook	1877
1877	James Davis*	1876
1875	Elijah H. Kimball*	1883
1875	Robert Kelly	1888
1875	Thomas Sullivan*	1880
1876	Alex. McL. Agnew*	1886
1877	Richard L. Larremore*	1890
1878	J. S. T. Stranahan, Brooklyn	



1878	Henderson Moore*	1889
1880	Theodore H. Mead	1881
1880	Alfred Wagstaff	1885
1881	Henry DeForrest Weekes	1887
1881	William L. Andrews	1892
1881	James H. Fay	
1883	Heber R. Bishop	1884
1883	James Forsyth, Troy*	1886
1884	Peter B. Olney	1888
1884	Frederick Kuhne*	1890
1885	Horace W. Roberts	
1885	Benjamin C. Wetmore	1893
1885	John Sergeant Cram	1886
1885	Henry Alker*	1886
1885	William A. Duer	1895
1885	Francis C. Moore	1893
1886	J. Coleman Drayton	1890
1886	Octavius A. White, M. D.	1889
1886	Jacob F. Miller	
1887	Robert L. Banks	
1887	Edward M. Townsend	
1887	Alexander E. Orr, Brooklyn	
1888	Edgar Auchincloss*	1890
1888	Stuyvesant F. Morris, M. D.	
1889	Alfred J. Taylor	1893
1889	Francis C. Underhill	1891
1889	Sigourney W. Fay	1894
1890	F. H. Weeks	1893
1890	William Watts Sherman	
1890	Henry A. C. Taylor	
1890	Evert Jansen Wendell	
1890	John J. Townsend	
1891	Walter C. Tuckerman*	1894
1892	James J. Higginson	
1893	John S. Barnes	
1893	Frederic Bronson	
1893	William Bradford	
1893	Clement March	

1894	George G. Wheelock, M. D.....	
1894	F. Bronson Winthrop.....	
1894	Abraham Lansing.....	1895
1895	Richard H. Ewart.....	
1895	Thomas H. Barber.....	
1895	Stephen H. Olin.....	
1895	William Gaston Hamilton.....	
1895	Lewis Stuyvesant Chanler.....	

# Officers.

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## Presidents.

1824	Cadwallader D. Colden.....	1832
1832	Stephen Allen.....	1852
1852	Robert Kelly.....	1856
1856	Oliver S. Strong.....	1874
1874	Edgar Ketchum.....	1881
1881	John A. Weekes.....	1891
1891	Alexander E. Orr.....	

## Treasurers.

1824	Ralph Olmstead.....	1828
1828	Cornelius DuBois.....	1846
1846	Israel Russell.....	1848
1848	Joshua S. Underhill.....	1857
1857	Walter Underhill.....	1866
1866	John A. Stewart.....	1874
1874	Nathaniel Jarvis, Jr.....	1886
1886	Henry Dudley.....	1892
1892	Walter C. Tuckerman.....	1893
1893	Frederic Bronson .....	1895
1895	Edward M. Townsend.....	

## Secretaries.

1824	Robert F. Mott.....	1826
1826	Samuel Cowdrey.....	1827
1827	Isaac S. Hone.....	1828
1828	Frederick Sheldon.....	1833
1833	Ralph Olmstead.....	1835
1835	John R. Townsend.....	1843
1843	John H. Gourlie.....	1853
1853	James W. Underhill.....	1854
1854	Andrew Warner.....	1885
1880	Frederic W. Downer.....	1886
1886	Nathaniel Jarvis, Jr.....	1889
1889	James H. Fay.....	1890



1890	Evert Jansen Wendell.....	1893
1893	William Bradford.....	1895
1895	Nathaniel Jarvis, Jr.....	

### Corresponding Secretaries.

1884	James H. Fay.....	1886
1886	Frederick W. Downer.....	1892
1892	John J. Townsend.....	

### Superintendents.

1824	Joseph Curtis.....	1826
1826	Nathaniel C. Hart.....	1838
1838	David Terry, Jr.....	1844
1844	Samuel S. Wood.....	1849
1849	John W. Ketchum.....	1863
1863	Israel C. Jones.....	1892
1892	O. W. Lowry.....	1894
1894	C. W. Jungen.....	1894
1894	V. M. Masten.....	1895

### Physicians.

1825	John Stearns, M. D.....	1834
1825	Ansel W. Ives, M. D.....	1832
1832	H. A. Field, M. D.....	1835
1832	Galen Carter, M. D.....	1854
1836	John C. Cheeseman, M. D.....	1838
1836	James B. Nelson, M. D.....	1838
1854	H. N. Whittlessey, M. D.....	1866
1866	J. L. Colby, M. D.....	1879
1879	George A. Spaulding, M. D.....	1893
1893	R. Van Santvoord.....	

### Chaplains.

1825	Rev. John Stamford, D. D*.....	1826
1835	Rev. Thomas S. Barrett, M. D.....	1854
1854	Rev. Franklin S. Howe.....	1855
1855	Rev. Richard Horton.....	1863
1863	Rev. P. K. Pierce, D. D.....	1872
1872	Rev. G. H. Smythe.....	1881
1882	Rev. William C. Steele, D. D.....	1894

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\* Retired 1826 and place supplied by volunteers until 1835.

## Form of Bequest.

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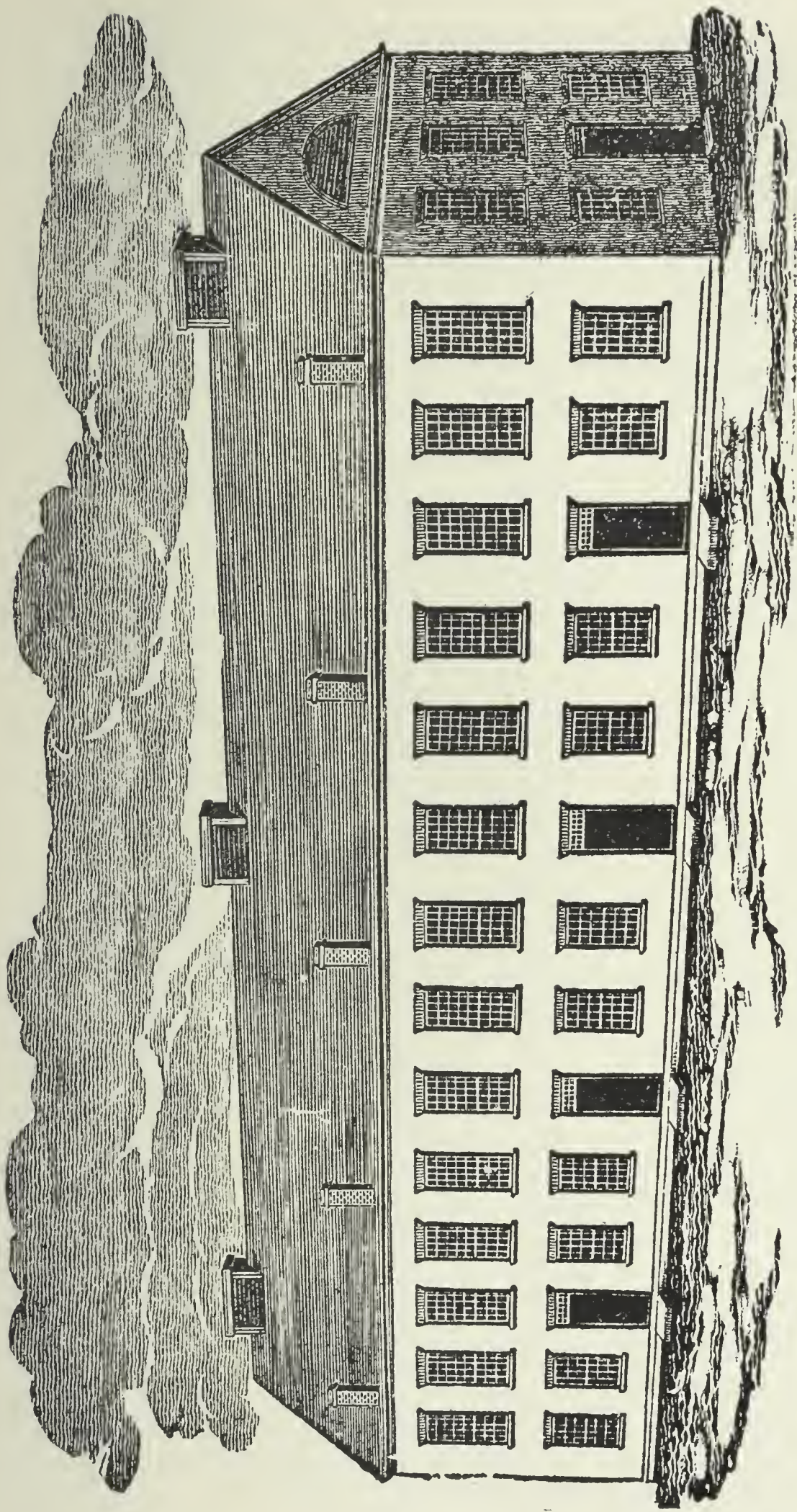
I give and bequeath to “The Managers of the Society for the Reformation of Juvenile Delinquents in the city of New York,” a corporation created by the laws of the State of New York, the sum of ..... dollars, and the receipt of the treasurer of said corporation shall be a sufficient discharge to my executors for the same.







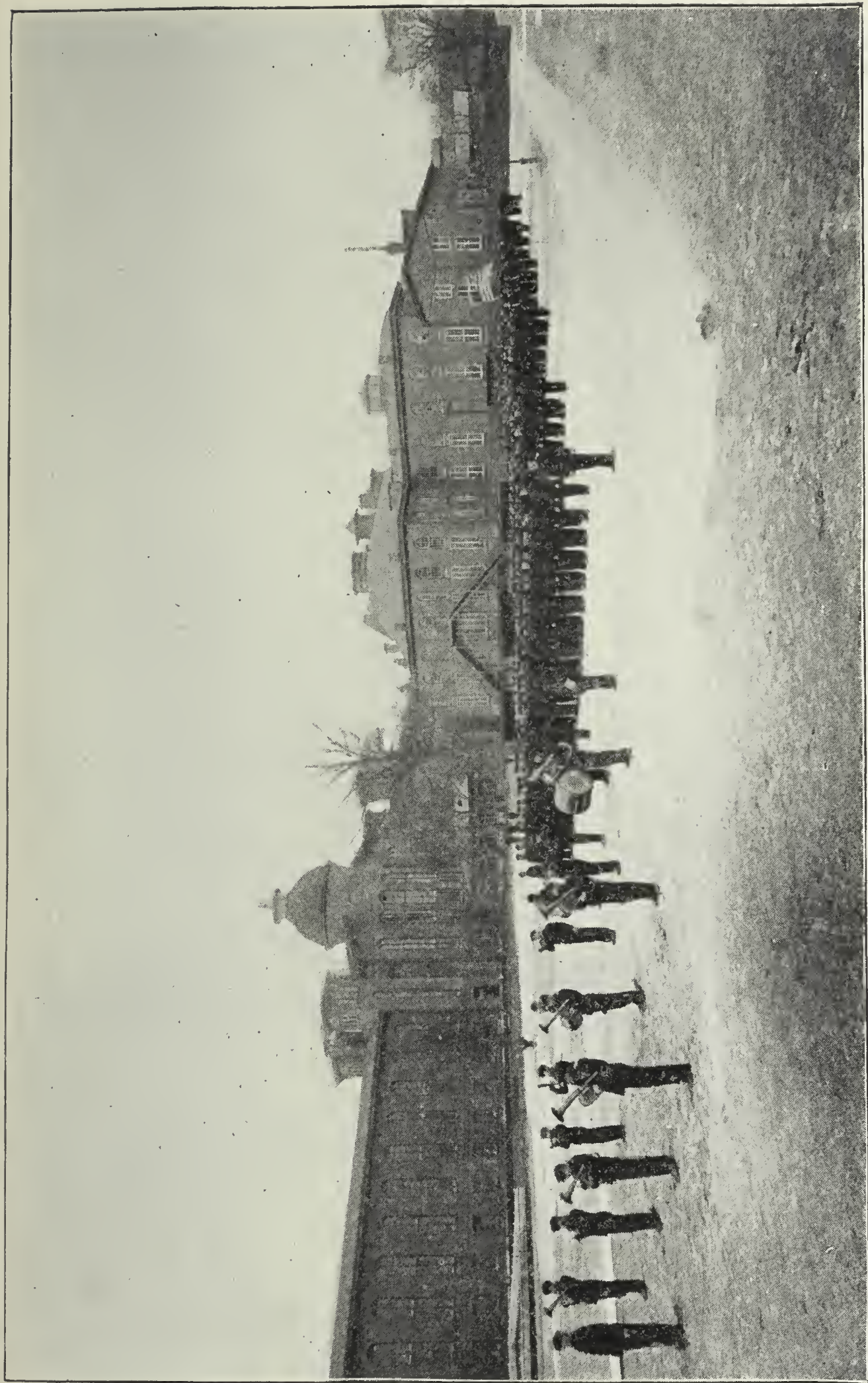




FIRST HOUSE OF REFUGE, 1825, NEAR MADISON SQUARE, NEW YORK.  
(From a cut attached to the first annual report.)







THE REGIMENT DRAWN UP IN COLUMN OF COMPANIES.



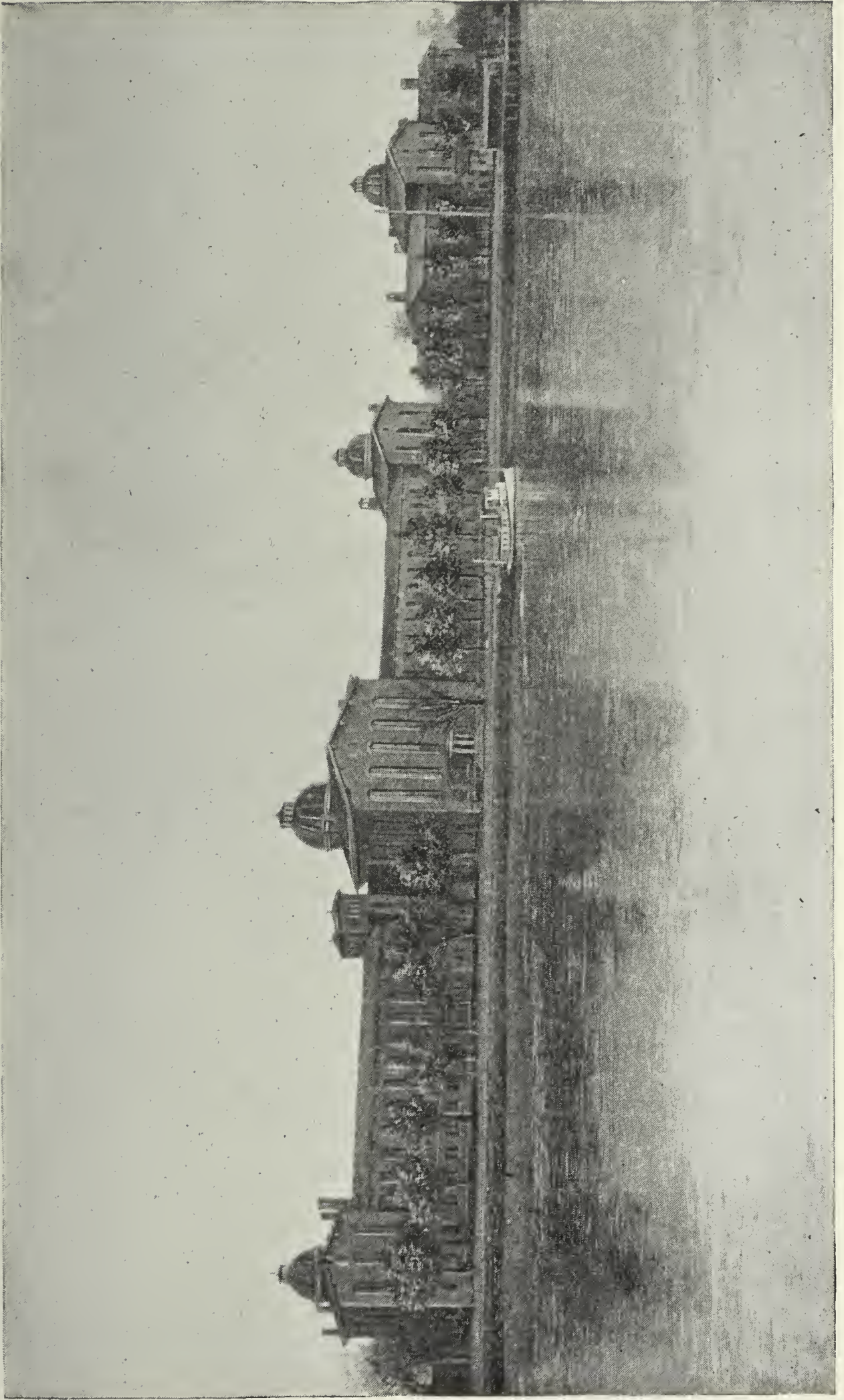




SETTING UP EXERCISES.





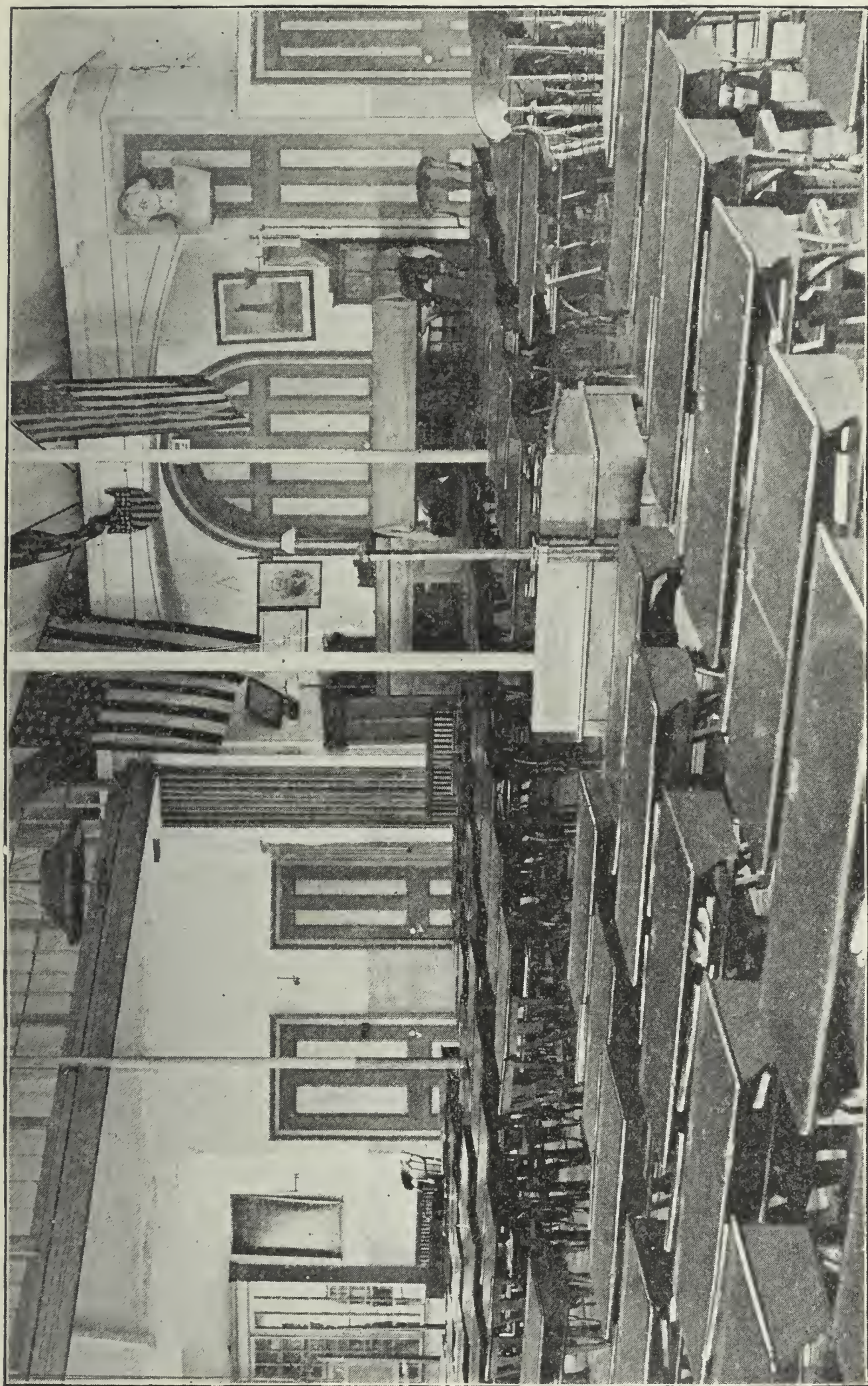


HOUSE OF REFUGE, RANDALL'S ISLAND, N. Y.







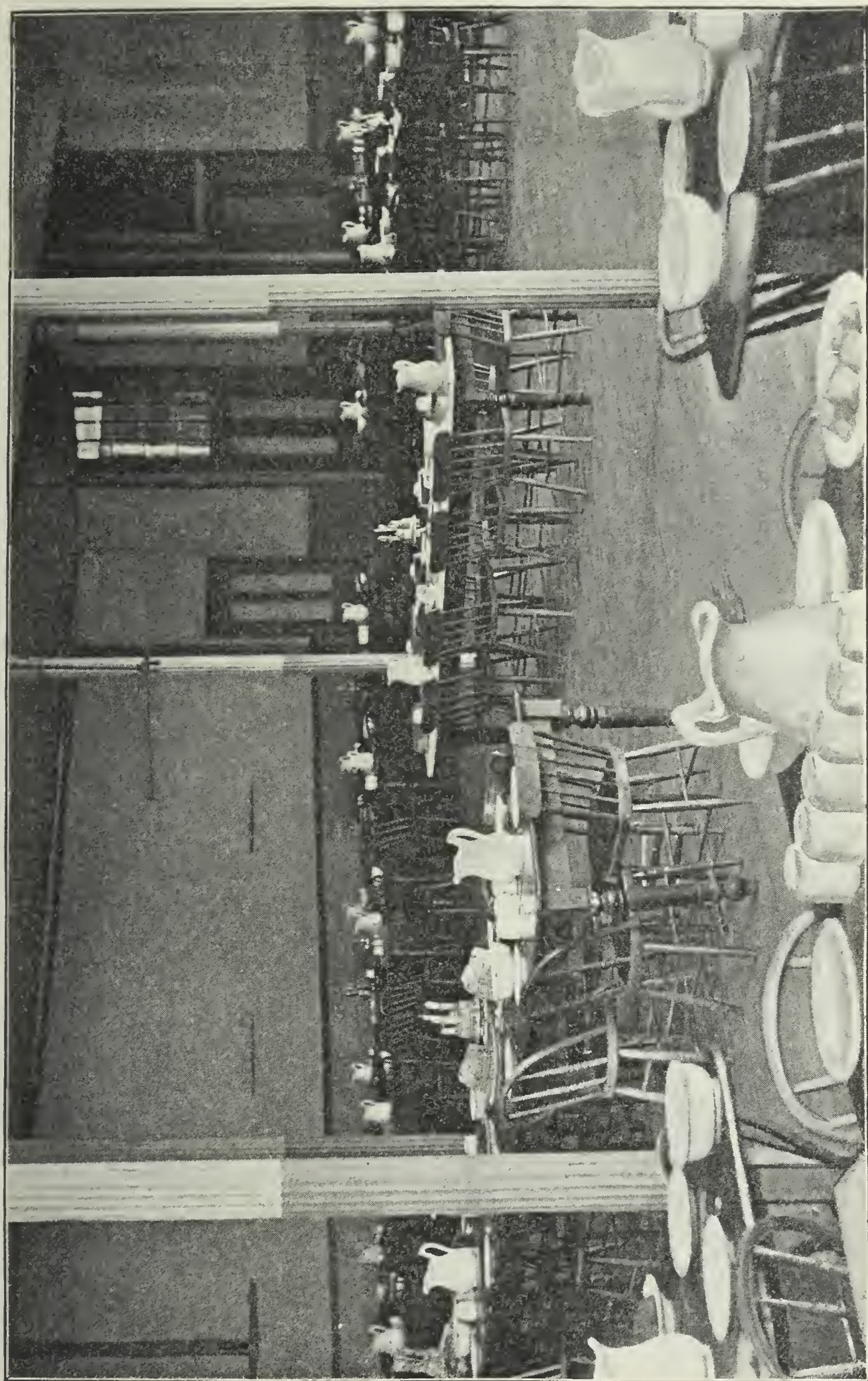


BOYS' SCHOOL ROOMS, SECOND DIVISION.





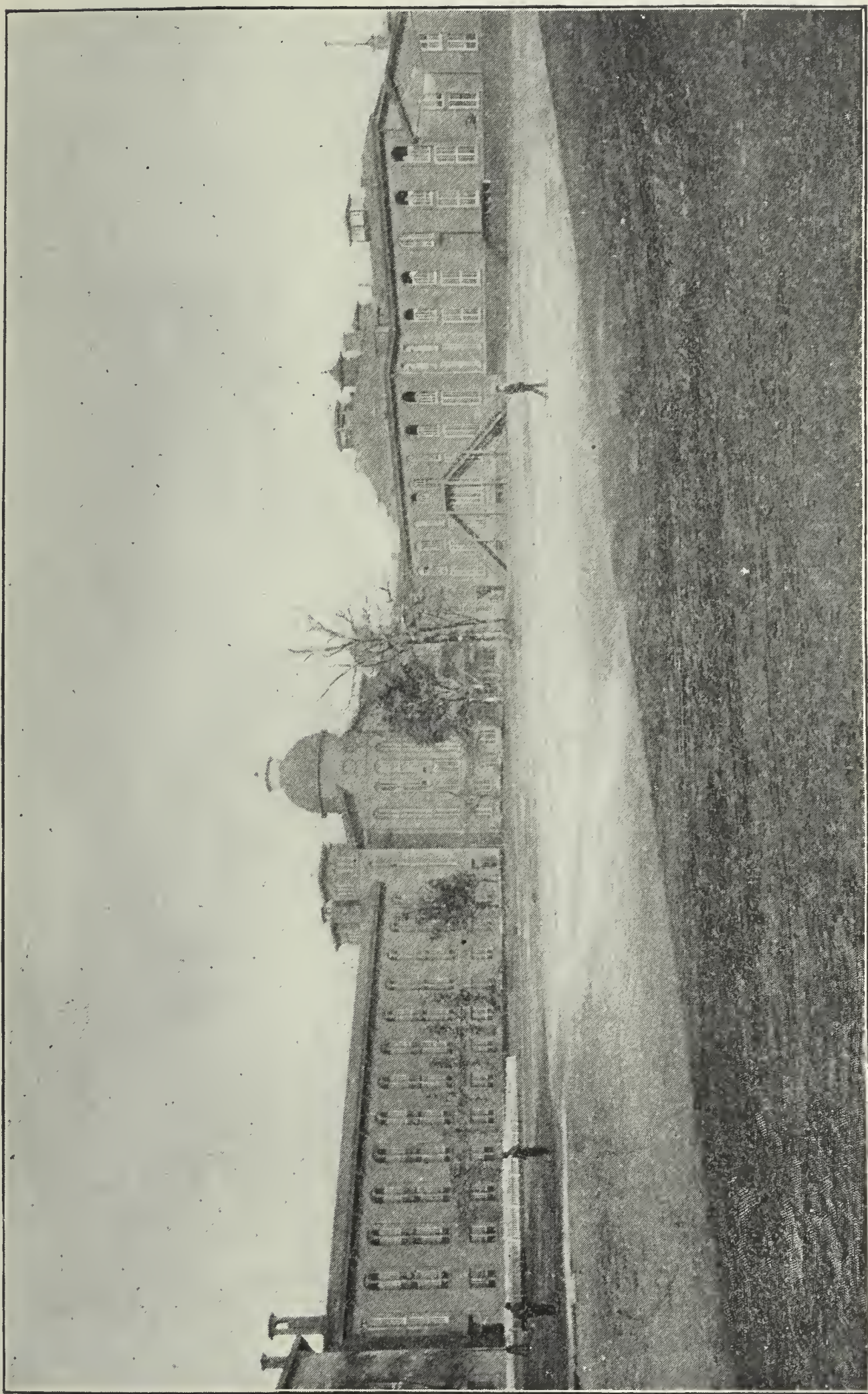




BOYS' DINING ROOM.





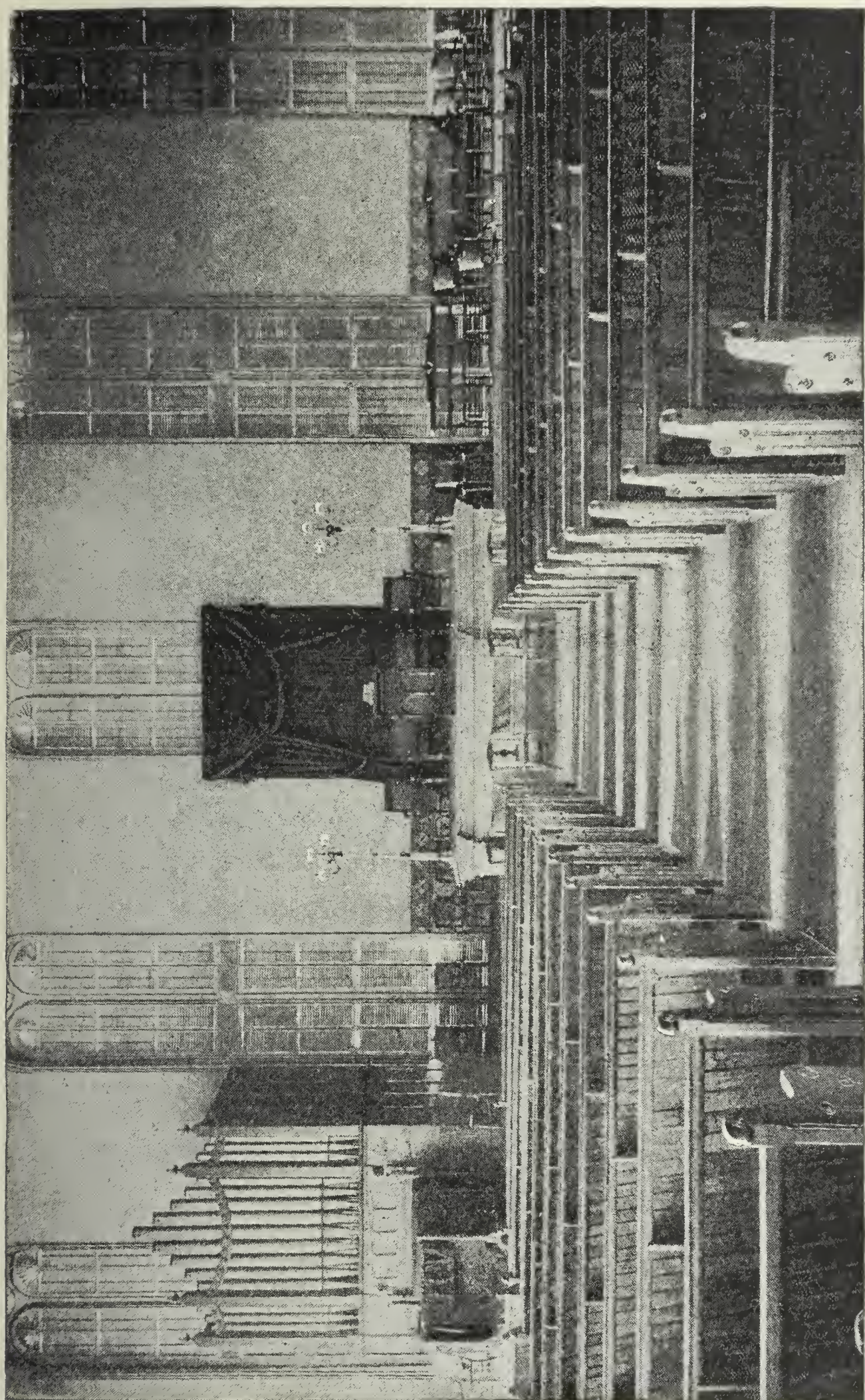


FIRST DIVISION YARD AND BUILDINGS.







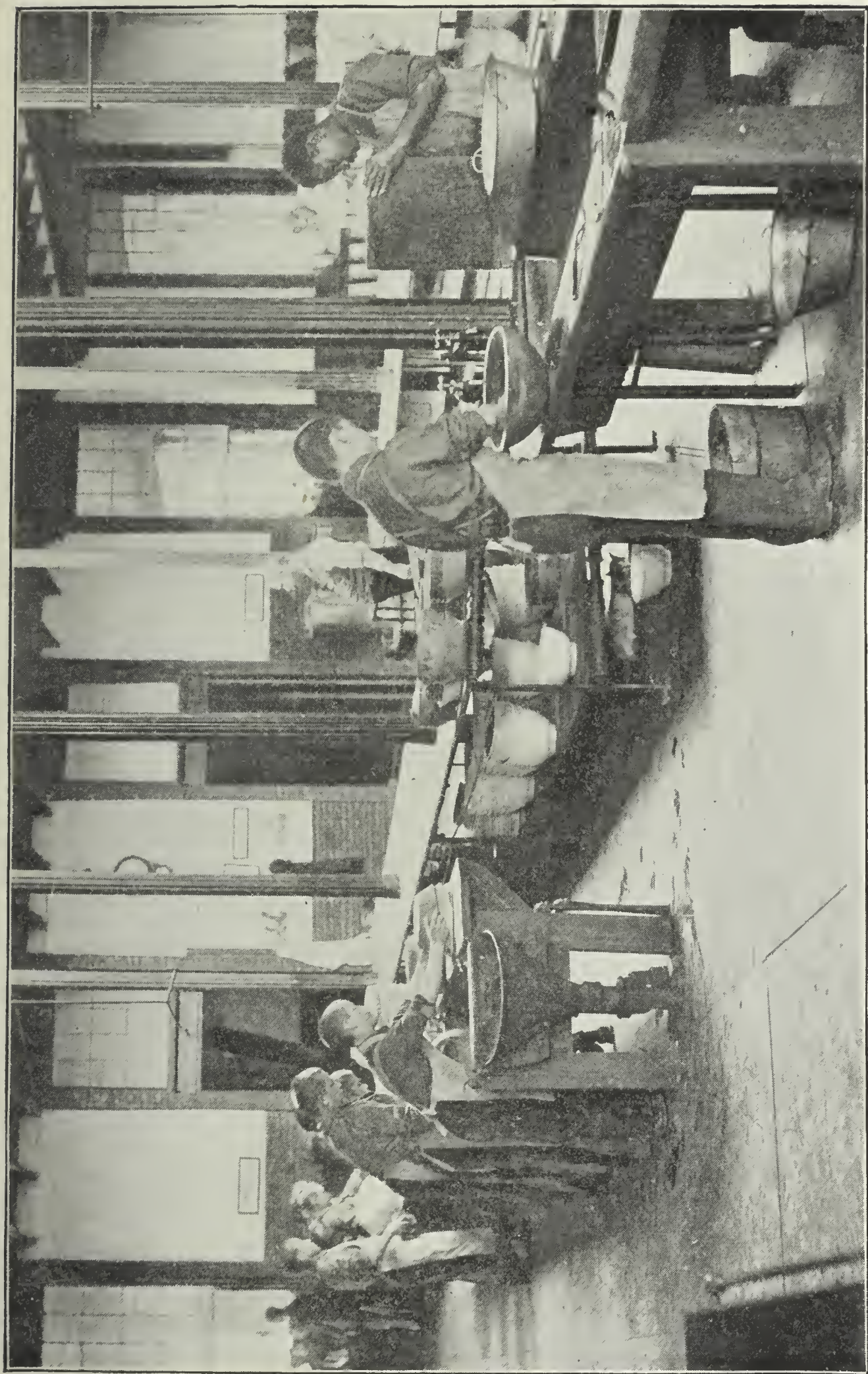


CHAPEL.





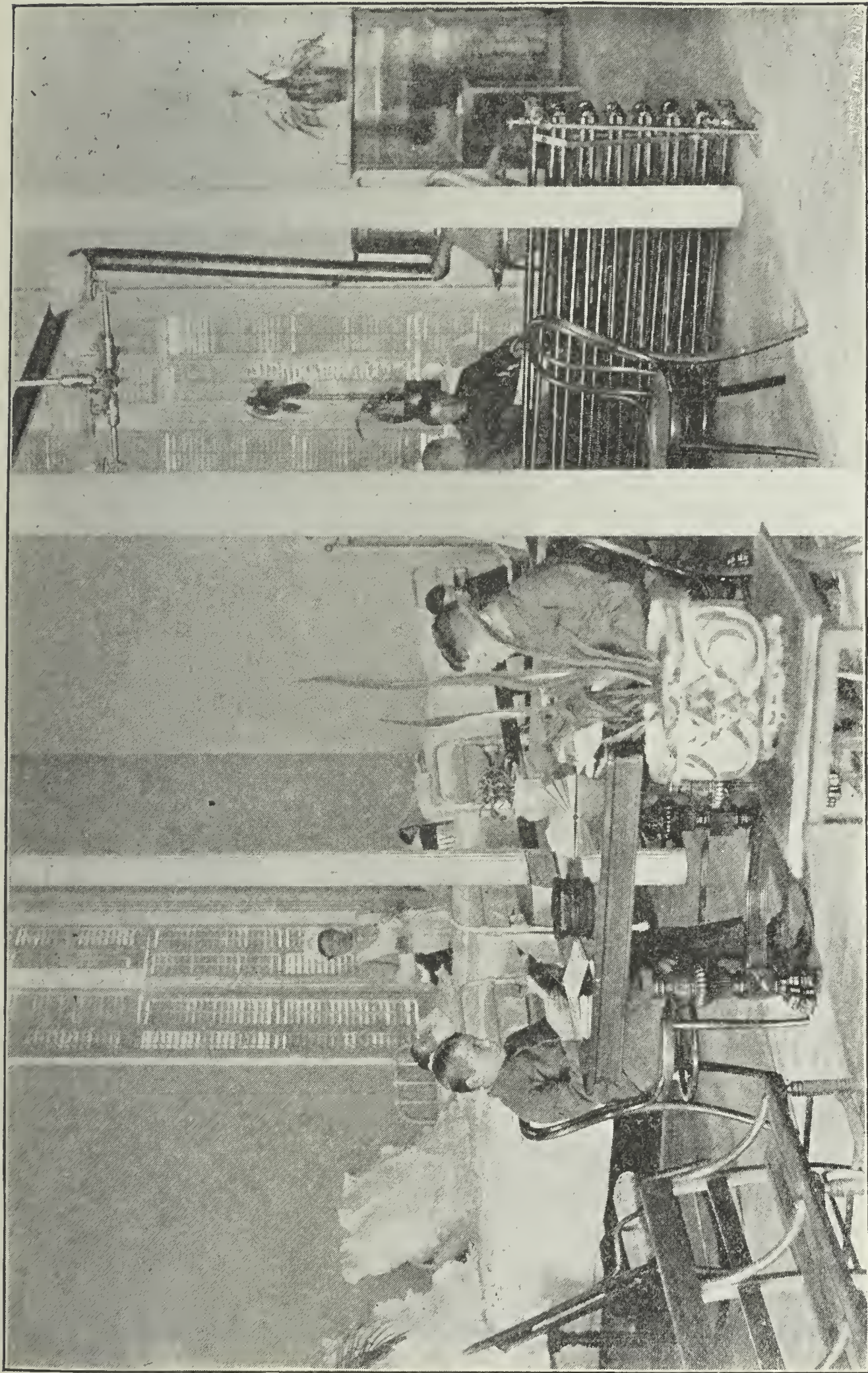




BOYS' KITCHEN.



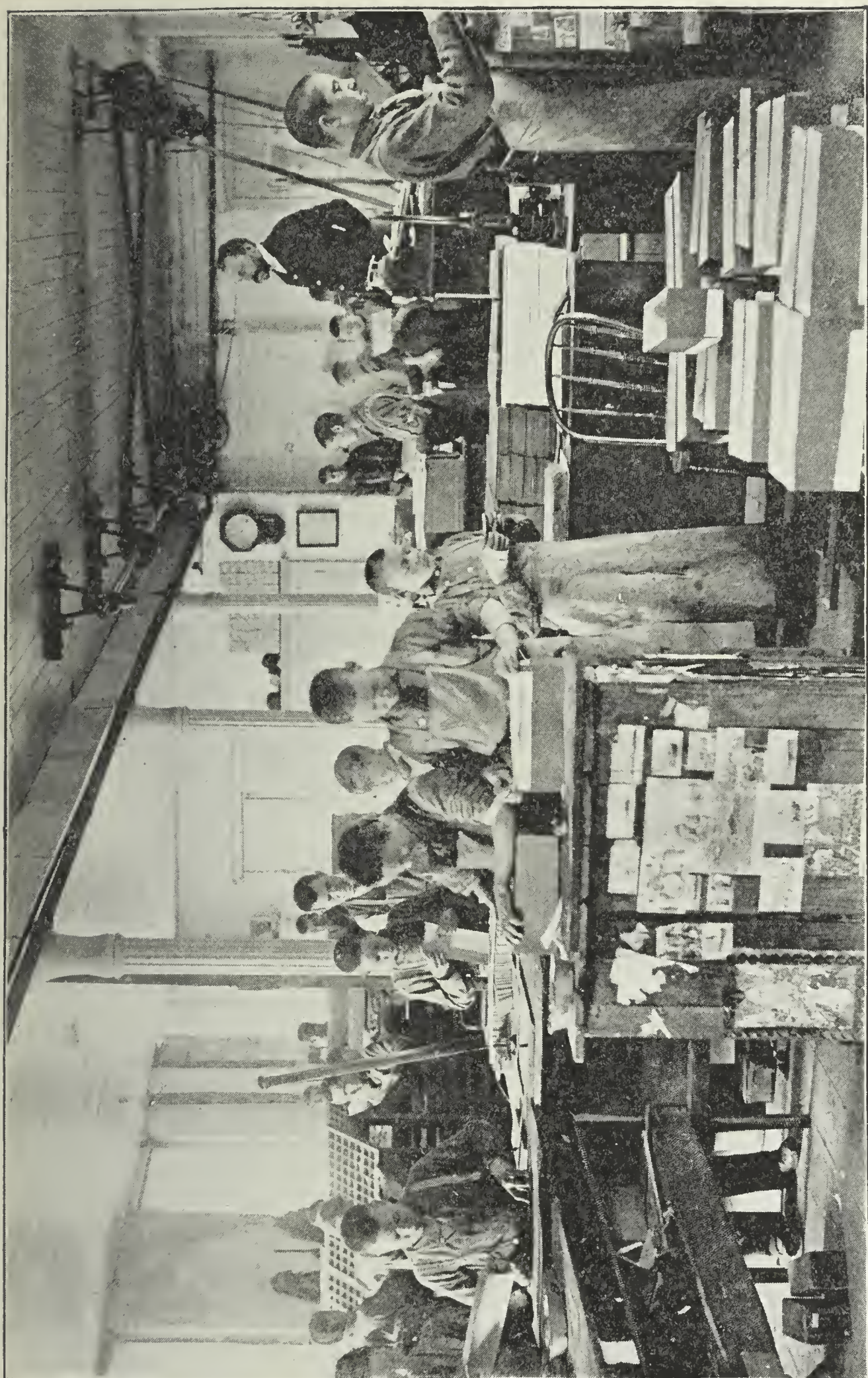




BOYS' HOSPITAL.





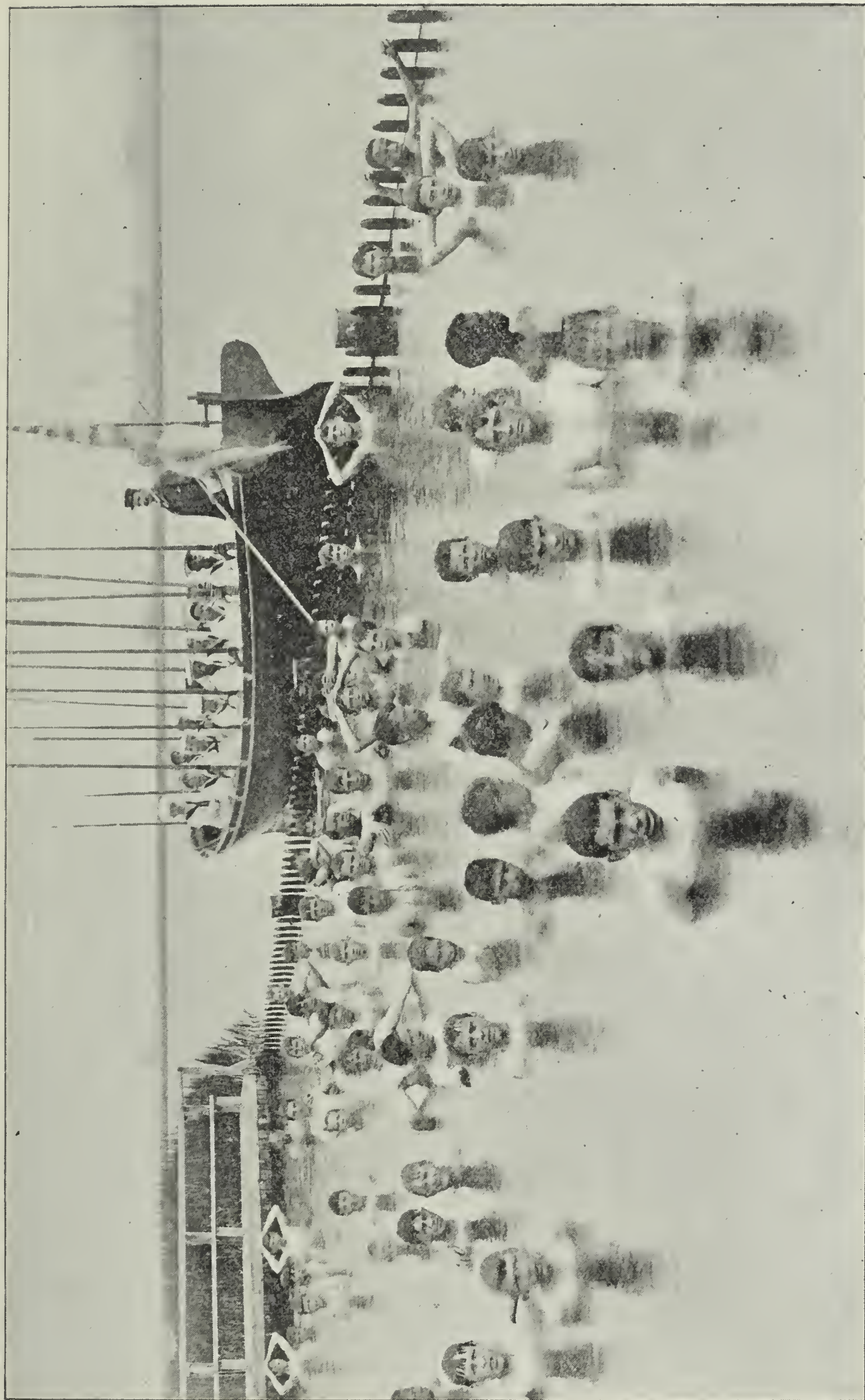


PRINTING CLASS.





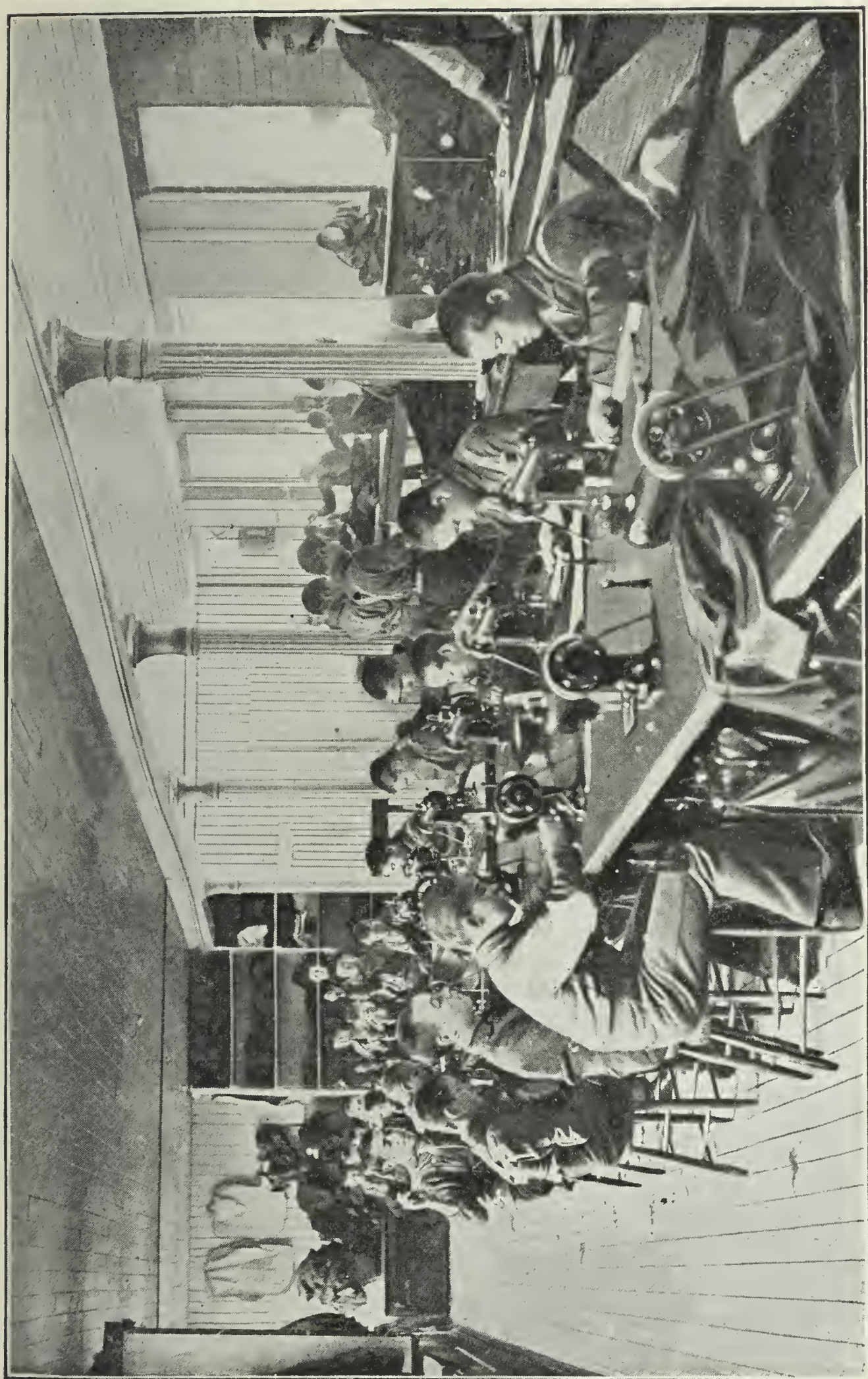




RIVER BATH.



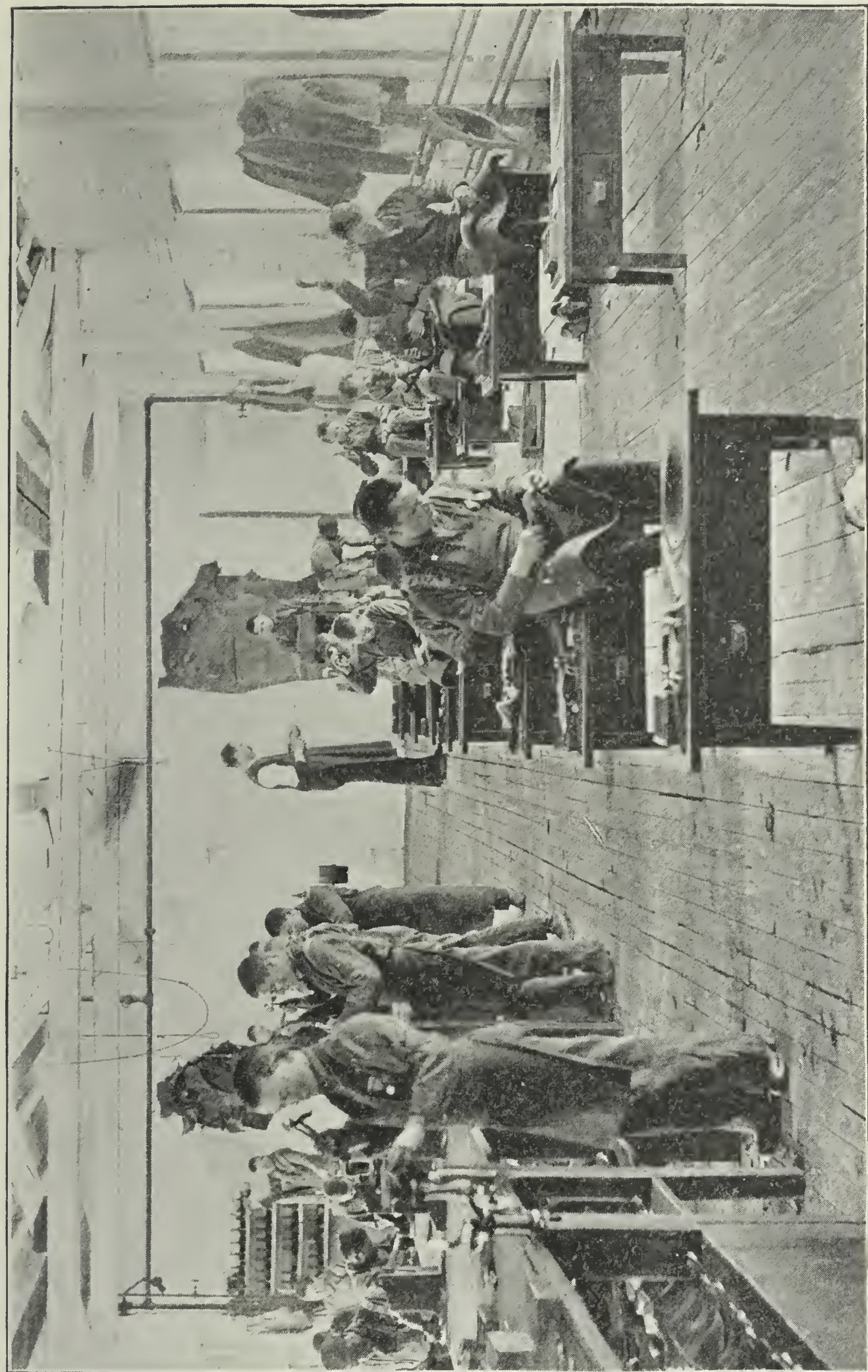




TAILORING CLASS.



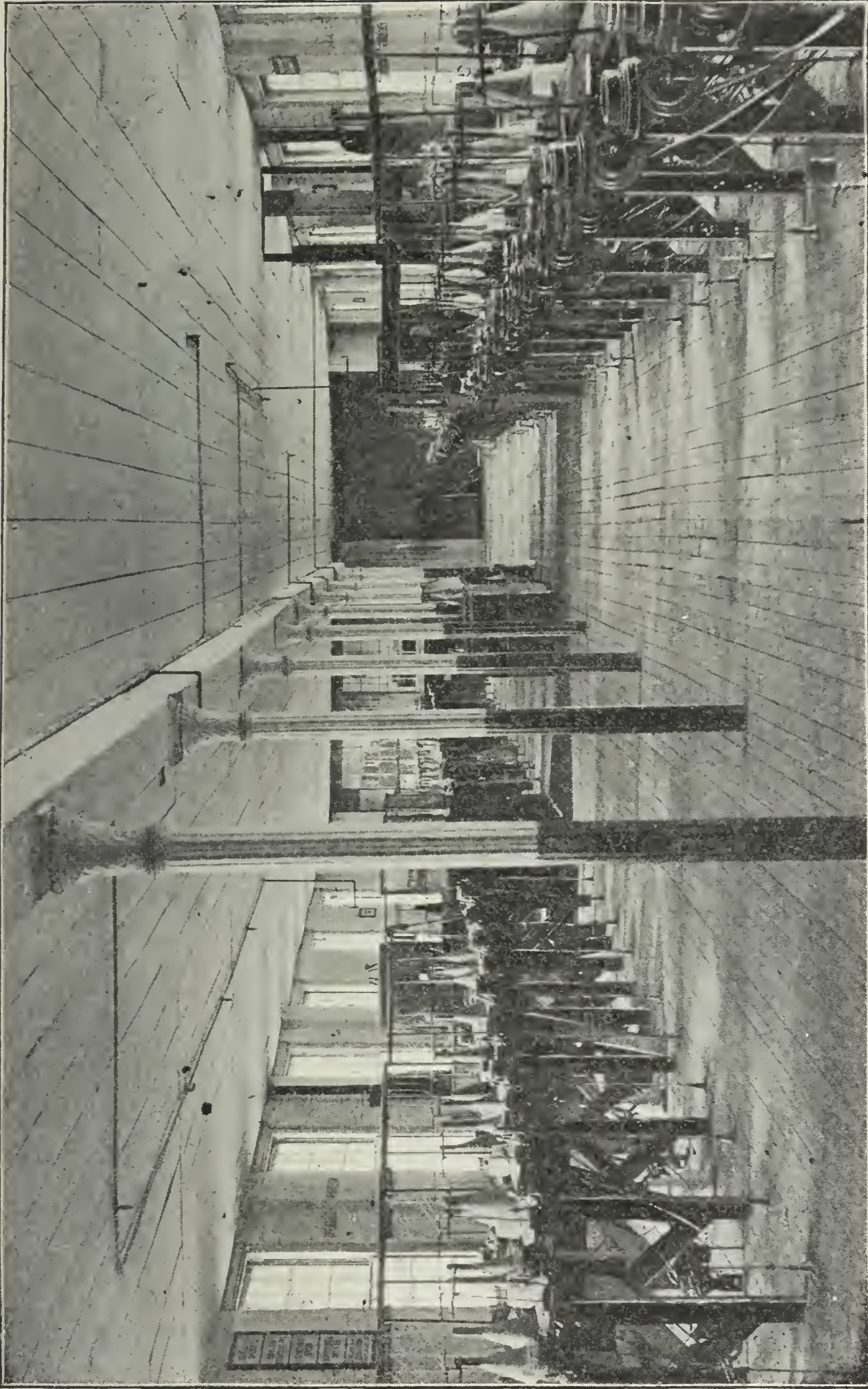




SHOEMAKING CLASS.



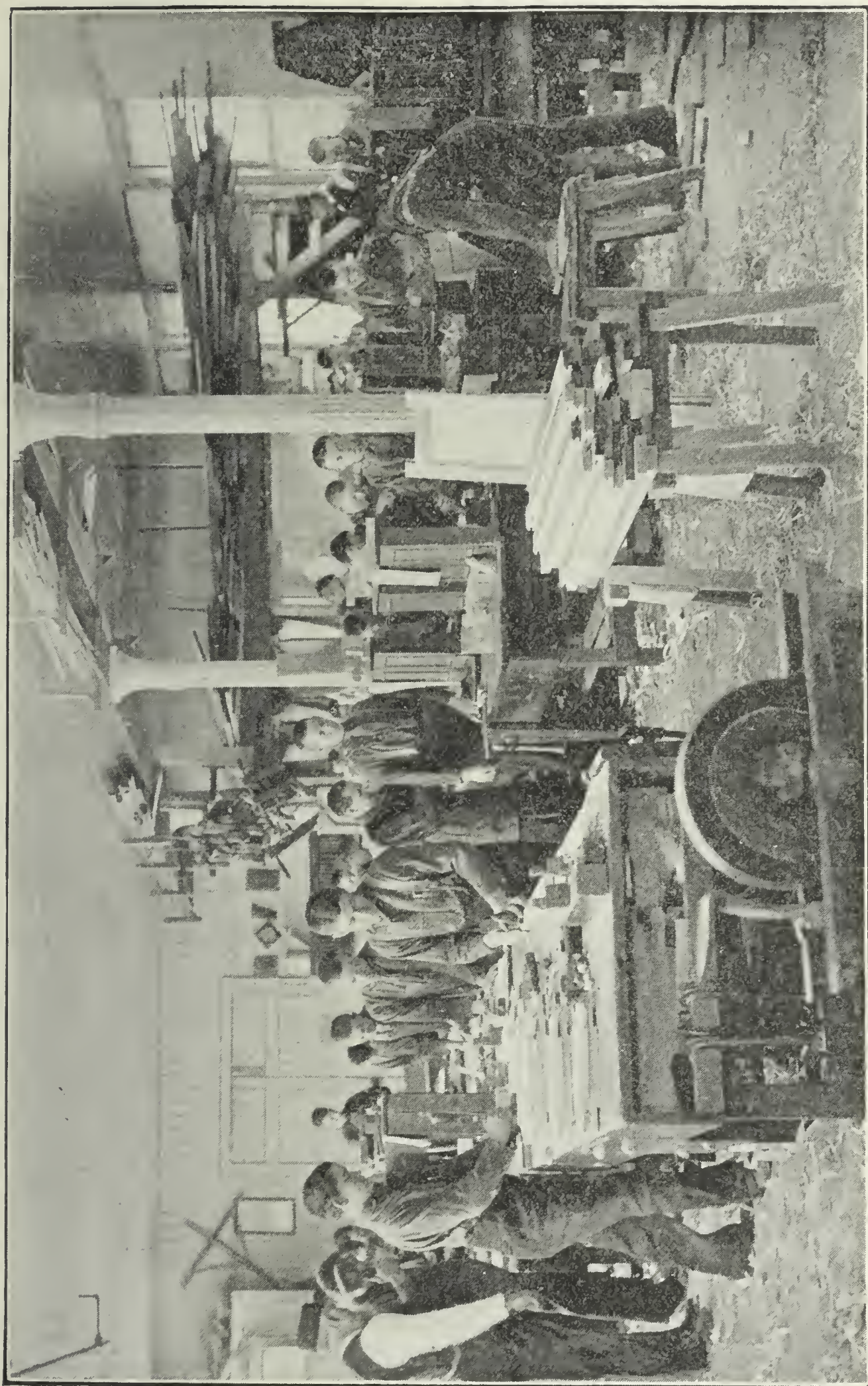




KNITTING SHOP.





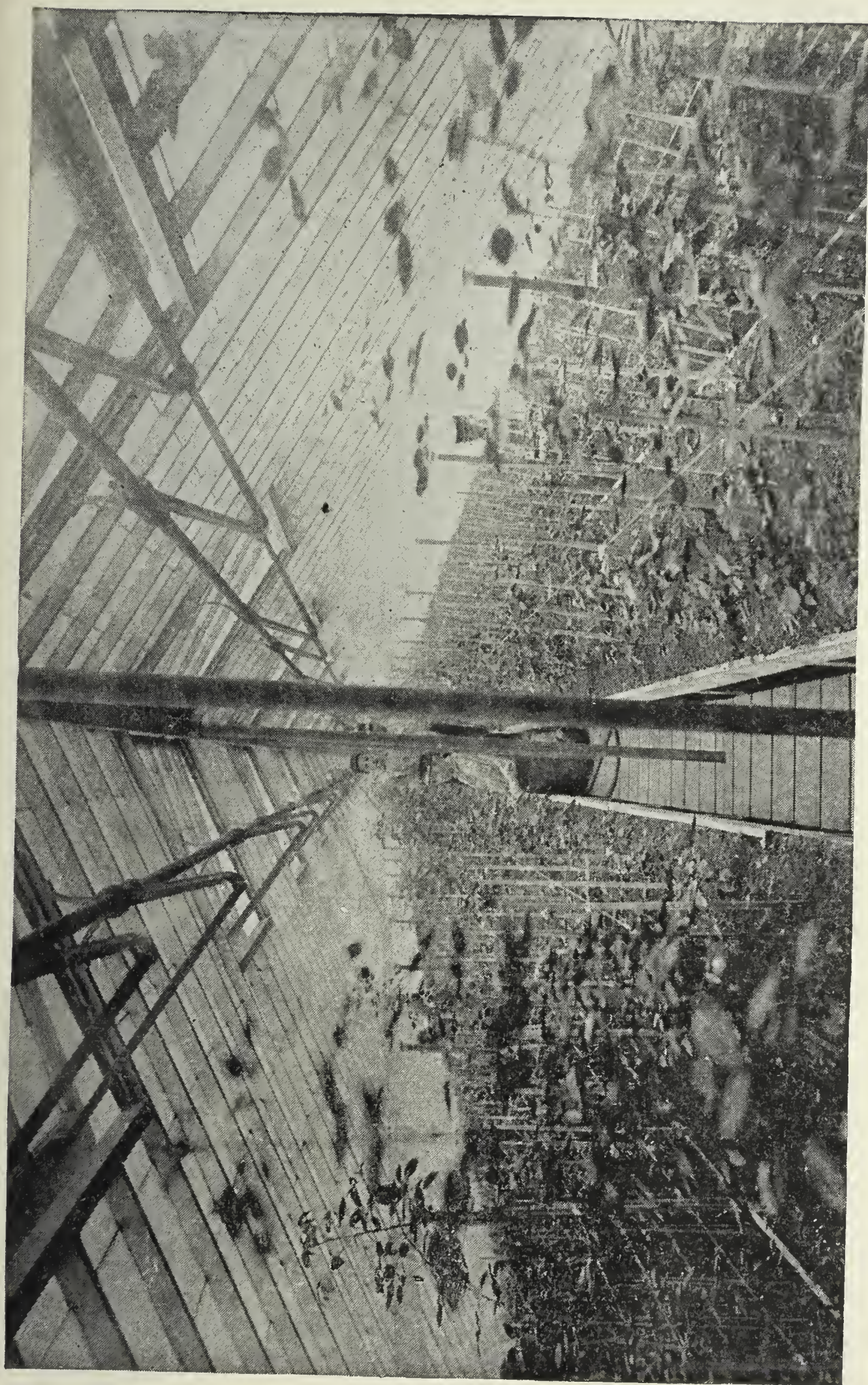


CARPENTRY CLASS.







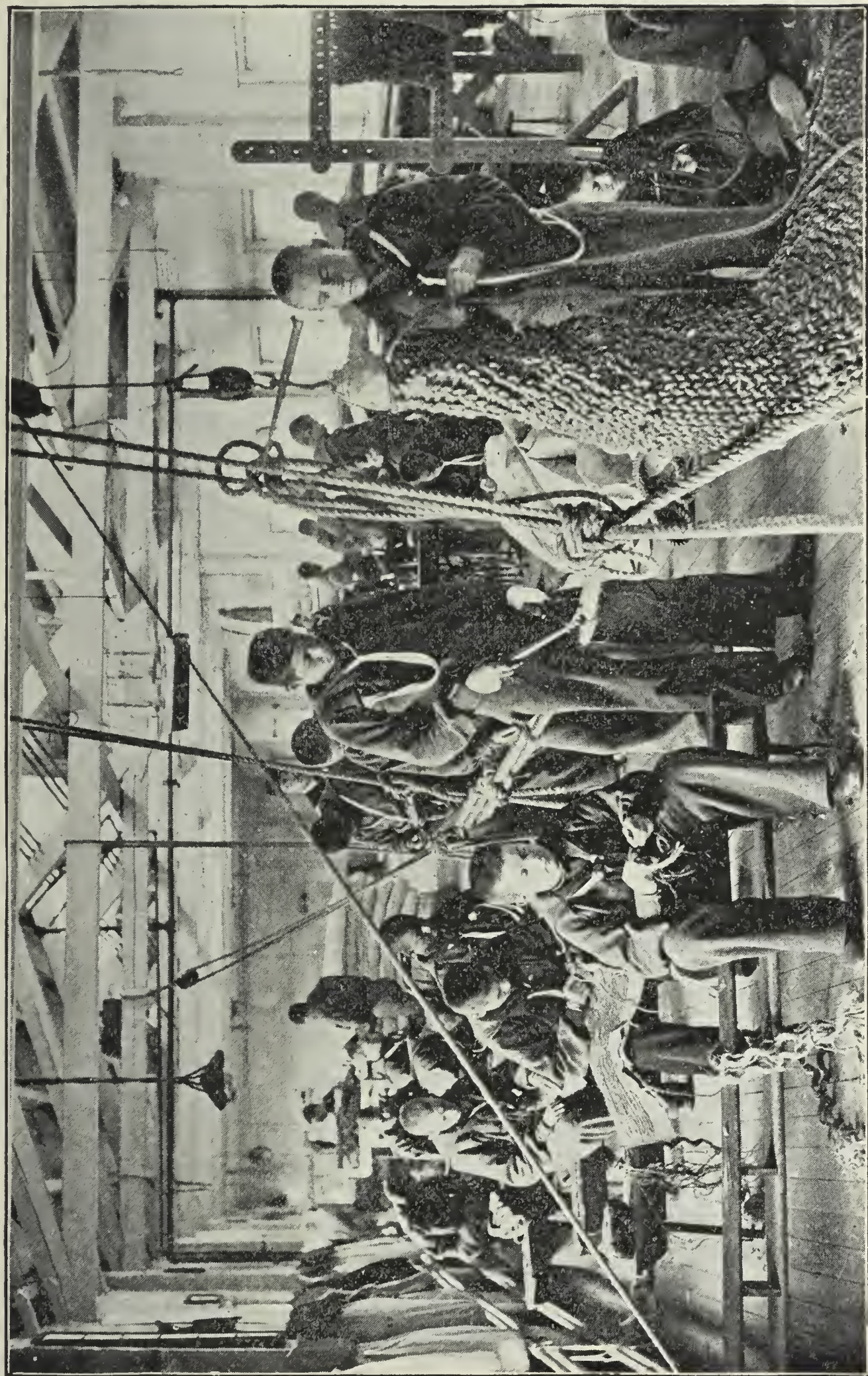


GREENHOUSE.





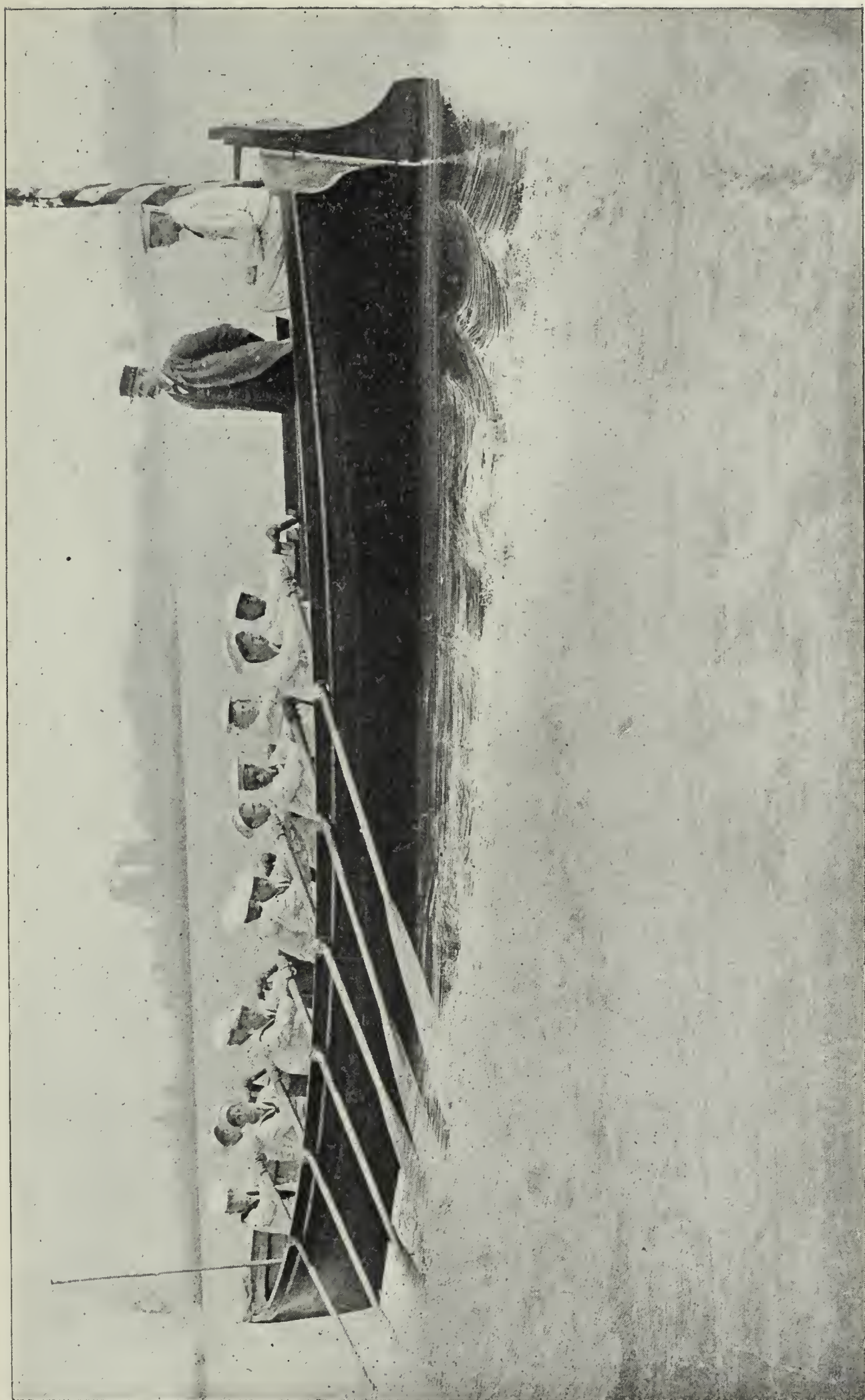




SEAMANSHIP CLASS.





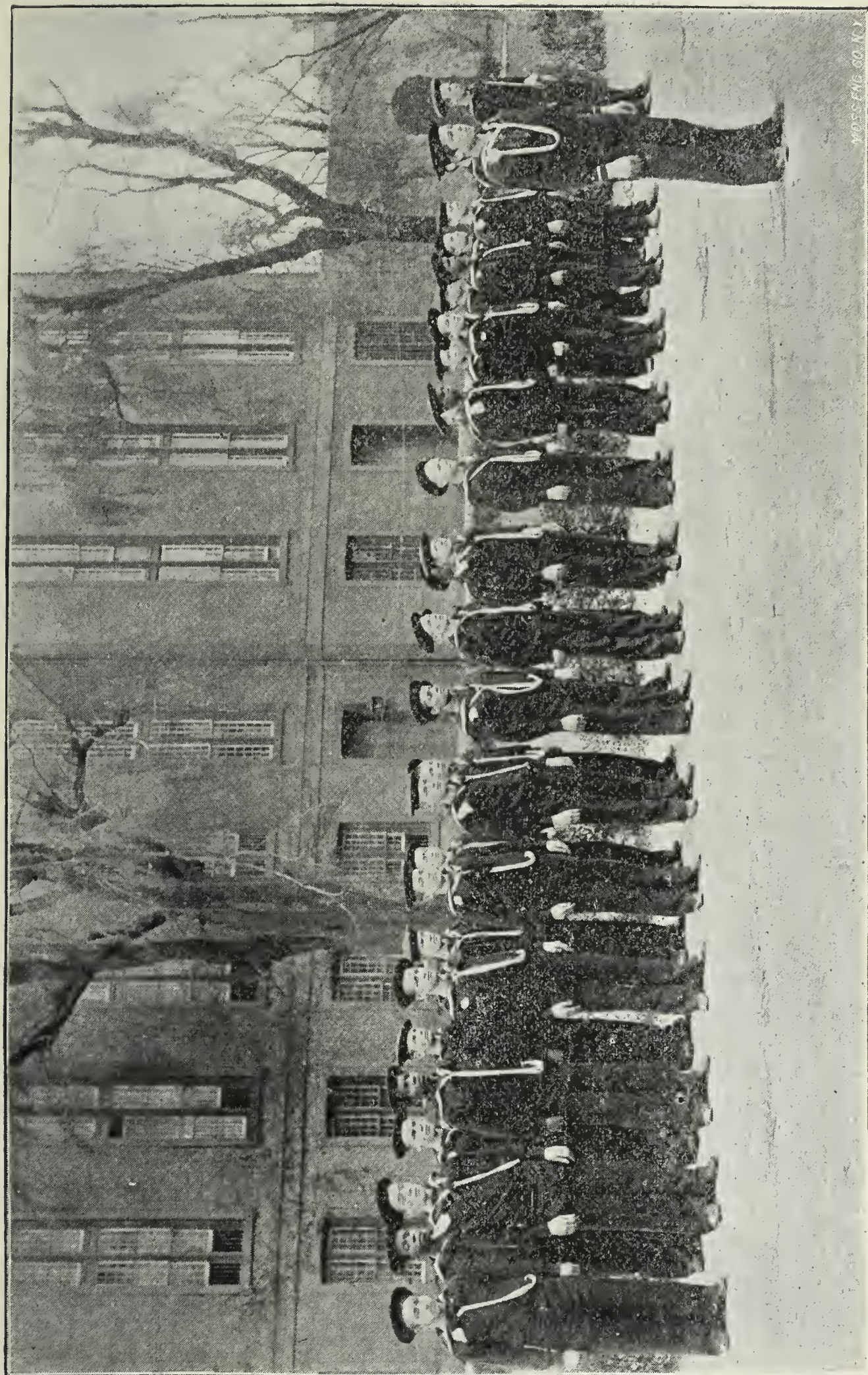


CUTTER.









MOESING 80 N.Y.

MARINE SQUAD.









PRIMARY DORMITORY.



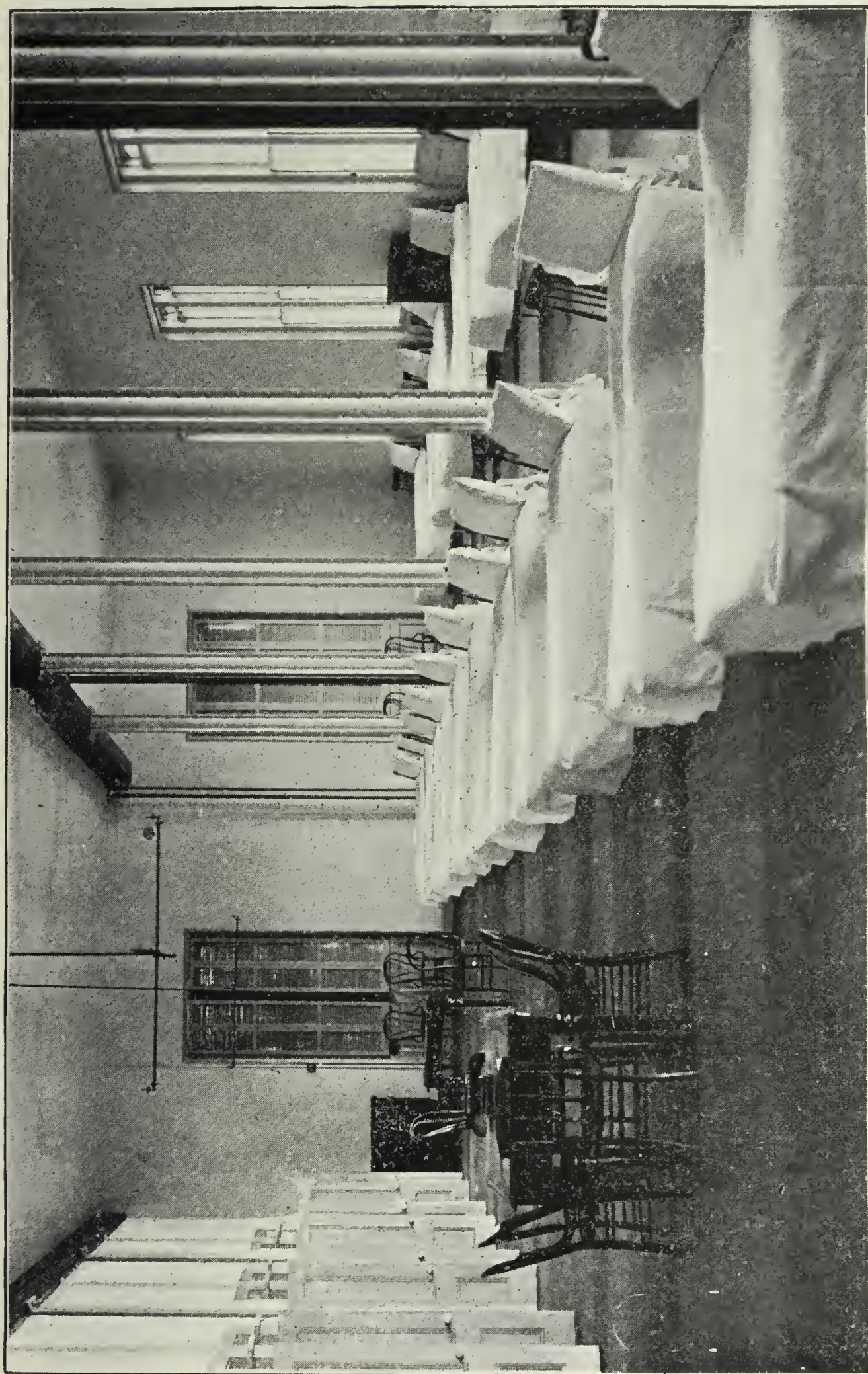




PRIMARY WASHROOM.







GIRLS' DORMITORY.





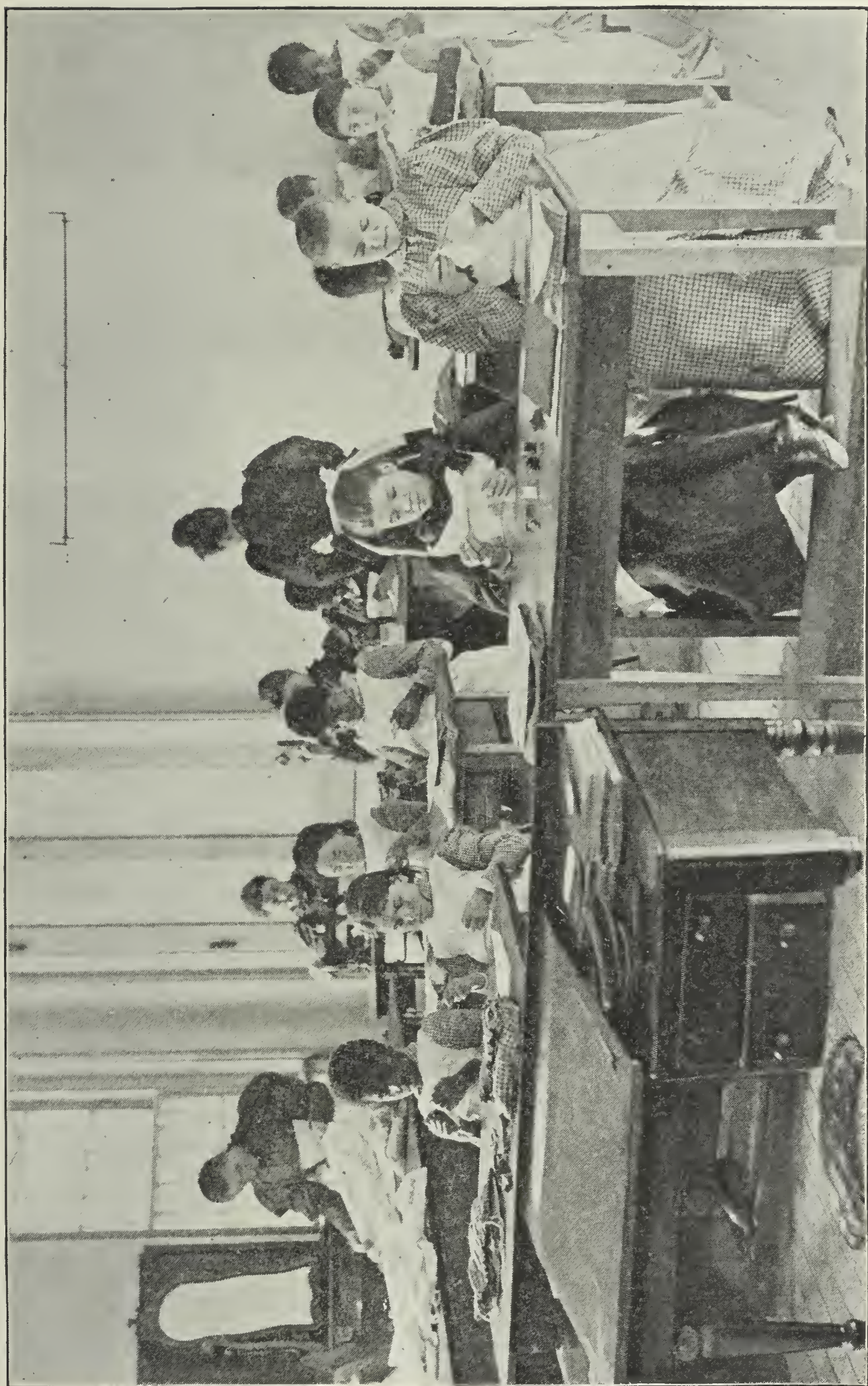




PRIMARY WASHROOM.



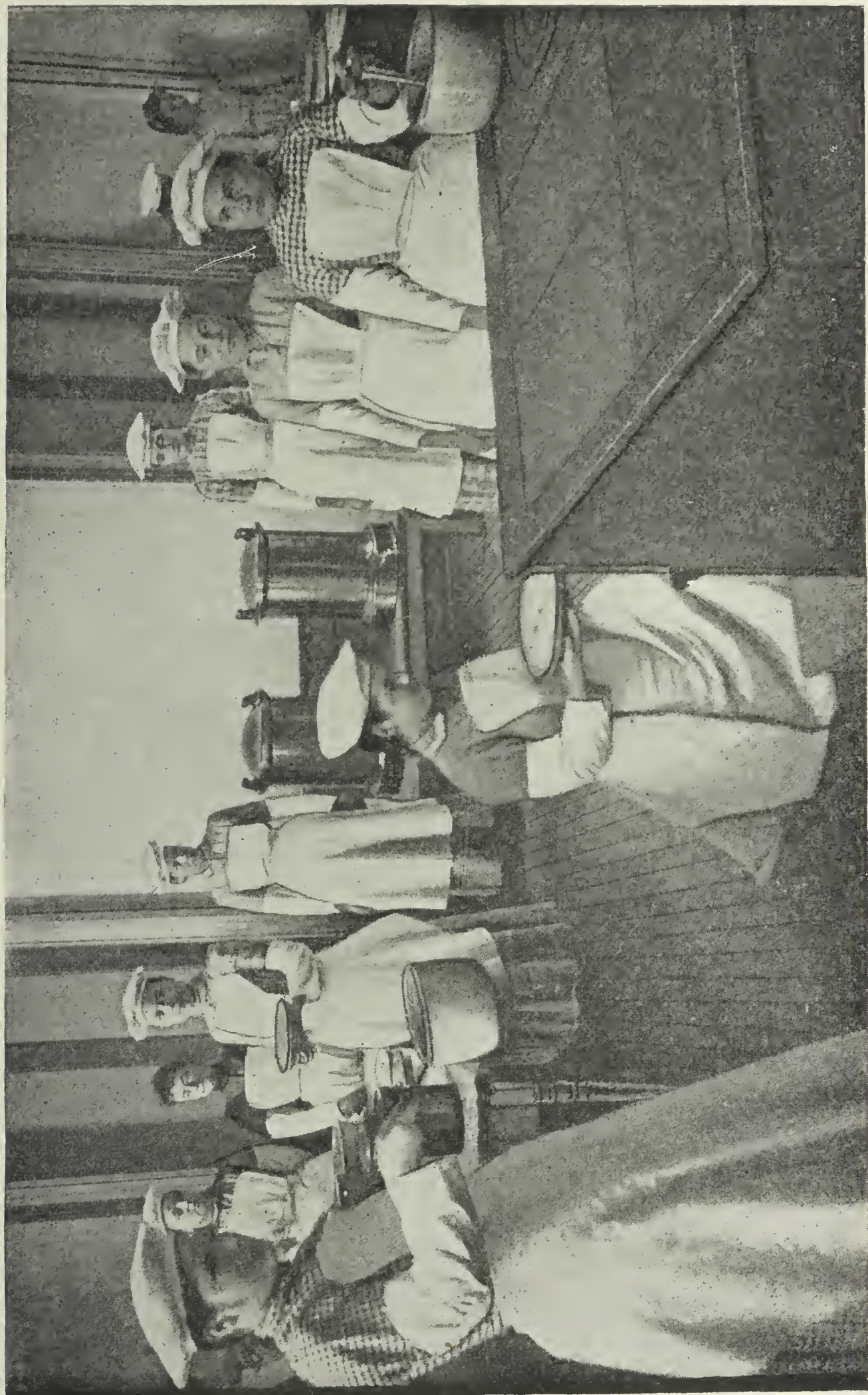




SEWING INSTRUCTION.







COOKING.





ANNUAL REPORT OF THE PRESIDENT  
OF  
THE INEBRIATES' HOME,  
FORT HAMILTON, N. Y.,  
For the Year 1895.

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TRANSMITTED TO THE LEGISLATURE FEBRUARY 3, 1896.

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WYNKOOP HALLENBECK CRAWFORD CO.,  
STATE PRINTERS,  
ALBANY AND NEW YORK.  
1896.



# STATE OF NEW YORK.

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No. 47.

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## IN ASSEMBLY,

FEBRUARY 3, 1896.

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### ANNUAL REPORT

OF THE

PRESIDENT OF THE INEBRIATES' HOME, FORT HAMIL-  
TON, N. Y., FOR THE YEAR 1895.

*To the Honorable the Legislature of the State of New York :*

In accordance with the provisions of our charter (chapter 483, section 11, of the Laws of 1868), I have the honor to submit the annual report of the Inebriates' Home for Kings county, for the year ending December 31, 1895.

There were remaining in the home, January 1, 1895, 138 patients; there were admitted during the year 158, making a total of 296.

On the 31st of December, 1895, there were 56 patients remaining in the institution, viz.: 28 boarders and 28 indigent poor.

During the year 4 patients died in the home, 4 were transferred to hospitals, 232 left; 106 of these are engaged in business and doing well, 30 unimproved, 65 have been lost sight of, 25 were readmissions, and 6 have died since leaving the home.



The following table shows the monthly number of patients for the year 1895:

January. . . . .	144
February. . . . .	102
March. . . . .	101
April. . . . .	89
May. . . . .	70
June. . . . .	71
July. . . . .	65
August. . . . .	68
September. . . . .	62
October. . . . .	58
November. . . . .	66
December. . . . .	64

### Social Condition.

#### MALES.

Married. . . . .	141
Widowers. . . . .	14
Single. . . . .	128
Total. . . . .	283

#### FEMALES.

Married. . . . .	9
Widows. . . . .	2
Single. . . . .	2
Total. . . . .	13

Grand total. . . . . 296

**Nativity.**

United States. . . . .	219
England. . . . .	18
Ireland. . . . .	42
Germany. . . . .	7
France. . . . .	1
British Provinces. . . . .	7
Elsewhere. . . . .	2
<hr/>	
Total. . . . .	296
<hr/>	

The oldest patient was 79 years of age.

The youngest patient was 17 years of age.

**Occupation of Males.**

Accountant. . . . .	1
Agents, real estate. . . . .	2
Amber worker. . . . .	1
Auctioneer. . . . .	1
Boatman. . . . .	1
Builders. . . . .	2
Boarding-house. . . . .	1
Bagging. . . . .	1
Bridge builder. . . . .	1
Bakers. . . . .	4
Banker. . . . .	1
Bartenders. . . . .	7
Blacksmith. . . . .	1
Boilermaker. . . . .	1
Bookkeepers. . . . .	9
Bricklayers. . . . .	2

Butchers. . . . .	6
Collector. . . . .	1
Coal dealers. . . . .	2
Cigarmakers. . . . .	4
Caulkers. . . . .	4
Cook. . . . .	1
Carpenters, house. . . . .	5
Carpenter, ship. . . . .	1
Clerks. . . . .	39
Coachmen. . . . .	2
Cooper. . . . .	1
Contractor. . . . .	1
Dancing teacher. . . . .	1
Detective. . . . .	1
Decorators. . . . .	2
Drivers. . . . .	4
Druggists. . . . .	2
Dentists. . . . .	1
Expressman. . . . .	1
Engineers. . . . .	2
Fish dealer. . . . .	1
Foreman. . . . .	1
Farmers. . . . .	3
Fireman. . . . .	1
Grocers. . . . .	2
Gardeners. . . . .	2
Glass blowers. . . . .	5
Hotel steward. . . . .	1
Horse dealers. . . . .	2
Hatters. . . . .	3



Insurance, life.....	1
Insurance, brokers.....	2
Iron worker. . . . .	1
Iceman. . . . .	1
Jeweler. . . . .	1
Journalists. . . . .	4
Laborers. . . . .	16
Lawyers. . . . .	3
Liquor dealers. . . . .	2
Longshoremen. . . . .	3
Locksmith. . . . .	1
Metal roller. . . . .	1
Musician. . . . .	1
Machinists. . . . .	7
Mason. . . . .	1
Merchants. . . . .	7
Newsdealer. . . . .	1
No occupation.....	17
Nurse. . . . .	1
Optician. . . . .	1
Publisher. . . . .	1
Plasterer. . . . .	1
Painters. . . . .	6
Paperhanger. . . . .	1
Physicians. . . . .	4
Photographer. . . . .	1
Plumbers. . . . .	2
Porter. . . . .	1
Printers. . . . .	6
Restaurateur. . . . .	1

Roofer. . . . .	1
Sculptor. . . . .	1
Shirtmaker. . . . .	1
Surgical instruments. . . . .	1
Saloonkeepers. . . . .	9
Sailor. . . . .	1
Sailmaker. . . . .	1
Salesmen. . . . .	17
Shoemaker. . . . .	1
Stonecutters. . . . .	2
Stone polisher. . . . .	1
Tobacconist. . . . .	1
Tailors. . . . .	4
Telegraph operators. . . . .	2
Truckmen. . . . .	3
Watchman. . . . .	1
Weigher. . . . .	1
Veterinary surgeon. . . . .	1
Total. . . . .	283

#### Occupation of Females.

Actress. . . . .	1
Housewives. . . . .	10
No occupation. . . . .	1
Saleswoman. . . . .	1
Total. . . . .	13
Grand total. . . . .	296

Approximation of Ages.

Under 20 years.....	2
Twenty to 30 years.....	36
Thirty to 40 years.....	77
Forty to 50 years.....	80
Fifty to 60 years.....	63
Sixty to 70 years.....	30
Over 70 years.....	8
<hr/>	
Total. ....	296
<hr/>	

Respectfully submitted,

SAML. A. AVILA,\*

*Chairman of the Executive Committee.*

FORT HAMILTON, N. Y., *January 31, 1896.*

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\* On account of the death of our president (Hon. F. S. Massey), and his successor not being elected until 1896, the report is signed by the chairman of the executive committee.



# REPORT

OF THE

Treasurer of the Inebriates' Home for Kings County,  
for the Year Ending December 31, 1895.

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## Receipts.

From board money.....	\$12,911 00
From interest.....	232 99
	<hr/>
	\$13,143 99
Shortage.....	28,794 06
	<hr/>
	\$41,938 05
	<hr/> <hr/>

## Disbursements.

### MAINTENANCE.

Paid for groceries and provisions.....	\$18,905 57
Paid for coal, wood and gas.....	3,723 74
Paid for medicines, surgical instruments, attendance in medical department.....	1,325 29
Paid for clothing.....	155 62
Paid for express, cartage, farm, etc.....	1,963 84
Paid for help and labor.....	3,326 50
Paid for advertising, printing, stationery.....	772 57
Paid for newspapers and periodicals.....	180 50
Paid for incidental expenses.....	209 07

Paid for salaries of officers.....	\$9,000 00
Paid for rent of office in Brooklyn.....	540 00
	<hr/>
	\$40,102 70

## BUILDINGS AND IMPROVEMENTS, FURNITURE, ETC.

Paid for furniture, furnishings, etc.....	\$861 71
Paid for buildings, improvement of grounds.....	973 64
	<hr/>
	1,835 35
	<hr/>
	\$41,938 05
	<hr/> <hr/>

C. FURGUSON,  
*Treasurer.*

Examined the treasurer's accounts and found the same correct.

SAML. A. AVILA,  
*Auditor.*





TWENTY-FOURTH ANNUAL REPORT

OF THE

Commissioners of Fisheries

OF THE

STATE OF NEW YORK

FOR THE

YEAR ENDING SEPT. 30, 1895.

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TRANSMITTED TO THE LEGISLATURE, FEBRUARY 3, 1896.

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WYNKOOP HALLENBECK CRAWFORD CO.,  
PRINTERS,  
NEW YORK AND ALBANY.  
1896.



# STATE OF NEW YORK.

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No. 48.

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## IN ASSEMBLY,

FEBRUARY 3, 1896.

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### TWENTY-FOURTH ANNUAL REPORT

OF THE

### COMMISSIONERS OF FISHERIES.

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*To the Honorable the Legislature of the State of New York :*

GENTLEMEN.—This report contains, first, the twenty-fourth and final report of the Commissioners of Fisheries of the State of New York, from the beginning of their fiscal year, October 1, 1894, to the date when they were legislated out of office by the act creating the new commission, which was signed by the Governor April 26, 1895. The earlier part of the report is devoted to the operations of the Commissioners of Fisheries, and as their work occurred in the past mainly in the fall and winter, the report will show practically the operations of the department for the entire year, the time intervening between April 26th and September 30th being usually devoted to repairs at stations and ordinary routine work.



The Commissioners' of Fisheries were unusually successful during the last official year in the artificial propagation and distribution of fish and fish fry, the total amount nearly reaching 200,000,000. This exceeded by fifty per cent. the previous yearly distribution. They continued as in the past to devote their efforts (almost exclusively) to food fishes and in this work were especially successful. In addition to this they distributed a great many trout and black bass and other game fishes. The figures given in detail are the most satisfactory the Commissioners have ever had to record.

The report will be found to be subdivided as follows :

*First.* A general statement of the work of the Commission.

*Second.* The operations of the several hatching stations in their order, beginning with Caledonia.

*Third.* The operations of the shell-fish department.

*Fourth.* The report of the Chief Game and Fish Protector.

*Fifth.* The financial statement of the Commissioners of Fisheries.

*Sixth.* The report of the State Oyster Protector.

*Seventh.* The report of the Engineer.

*Eighth.* The report of the Secretary.

*Ninth.* The minutes of the meetings of the Commissioners.

After this will be given a statement of the work of the Fish Commission in the matter of licensing nets and various statements of general importance connected with the work of the Fish Commission. The Commissioners of Fisheries having to aid them the experience of past years, made special efforts during the past season to increase the production of food fishes, especially of such fish as form a large part of the food supply of the farmers in the interior of the State.

A new station was established on Oneida Lake, and the station at Alexandria Bay or Clayton was enlarged and thoroughly equipped, and the superintendents of the several stations were instructed to give especial attention to the propagation of strictly food fishes. The result of this effort is shown in the remarkably efficient work of the Commission. The number of pike, ciscoes and white fish hatched largely exceeded the amount distributed in any previous year. The Commission believe that this is the work that returns the State the best results for the appropriation made for the support of the Commission. While the distribution of trout and bass forms an important feature of their work and returns to the State abundant blessings in the shape of health and rational pleasure to its citizens, still the increase in the food supply is of still greater value, and gives more permanent benefit. The lot of the average farmer is, at best, a hard one, and his diet scanty and coarse. To enable him to vary this by the addition of a cheap and healthful food supply is valuable work, and one that must be appreciated. To this end they have devoted their efforts, and the enormous number of food fishes hatched this year and deposited in the waters of the State is a source of sincere gratification to them. There was a very large increase in the number of fry hatched at and distributed from the Cold Spring Harbor Station the past year. The work at Caledonia, the largest and most important station of the Commission, was also successful, and showed a large increase over previous years. The Commissioners during the fall licensed nets for catching brook trout and white fish, and this proved very satisfactory, as during the preceding year. Many licenses were issued, and the fishermen were carefully watched, but no instance of the violation of the rules of the Commission came to their attention. The fishermen seemed to instinctively desire the enforcement of the law, appreciating the advantage they were given by being enabled to catch food fish when they desired it. As a result, the markets of Syracuse and Utica were kept fully supplied with the best qualities

of food fishes, and admittedly no harm was done to the game fishes in the lakes. This state of affairs was so satisfactory to the Commissioners of Fisheries that last winter they advocated and succeeded in passing an act to provide for the licensing of all nets in the State. This act is now on the statute books. The work of the Game and Fish Protectors was also remarkably satisfactory, both in the record of arrests made and convictions obtained. The chief protector, Mr. J. Warren Pond, made a system of visits to all the protectors, stimulating them in their work, and thoroughly organizing the force. As a result, he was able to report more arrests and more convictions from arrests, than at any other time in the history of the department. In fact this has been the most satisfactory period the Game and Fish Protectors and their chief have had to report since the organization of the protective force of the State.

The Commissioners in this, their final report to the Legislature, have caused a complete account of all fines and penalties received since the law providing for the payment of these fines and penalties to the Commissioners of Fisheries, went into effect. This report has been carefully checked and is a complete and accurate statement. It can readily be seen that while it does not cover the cost of maintaining the law, yet the amount received in fines and penalties is larger perhaps than that received by any other Commission having laws of parallel character to enforce. It speaks well for the efficiency of the old fish and game protectors, and is absolute proof that the Commissioners of Fisheries, as far as the enforcement of the game laws is concerned, did their full duty. They have also caused to be printed in this report a full statement of all the franchises granted for oyster grounds and leases sold by the old Commission, with a statement of the moneys received from the same and their disposition, the amount of land now leased and the name of the lessees and annual revenue to the State from this work. The Commissioners feel that they have, while not perhaps obtaining a large revenue from the State, succeeded in build-



ing up an important and flourishing industry, and that the benefit to the State at large and the employment of men and capital has more than compensated for the slight expense over revenue, and that a flourishing and rapidly growing industry has been the result of their labors. The Commissioners feel that they are entitled to the credit for whatever they have done, as they served without compensation, and can expect no reward save that of having done their duty and of having developed the fishing and shell-fish industries of the State and enforced the laws for the protection of fish and game.

They have also printed a statement of the work they have accomplished in the artificial propagation of fish and fry since the organization of the Commission.

During the past three years the Commissioners have made many improvements at the hatcheries, especially in providing an increased water supply and in establishing additional ponds and increased facilities for the care and maintenance of fish for breeders. These improvements are of a permanent character and have already resulted in an enormous increase in the number of trout fry hatched at Cold Spring Harbor and in the number of breeding fish held at the other stations.

A large increase in the amount of trout fry hatched and distributed from the various stations can therefore be confidently looked for.

In the seven months of the fiscal year commencing October 1, 1894, to April 26, 1895, the day on which the Commissioners of Fisheries were by legislative enactment superceded by the Fisheries, Game and Forest Commissioners, had hatched and planted over 135,000,000 fry of fall and winter spawning fish, and had gathered and were then in process of hatching a sufficiently large number of eggs of spring spawning fish to produce about 50,000,000 fry. This, with arrangements then made with the United States Commissioners of Fisheries for a large plant of short fry, warranted an output for the whole fiscal year of about 200,000,000; an increase of about 50 per cent over the large output of 136,237,860, made the previous year, and an increase

of 500 per cent over the output of 1890, which was the largest output made to that date.

The Commissioners desire to acknowledge the valuable services rendered them by Col. Marshal McDonald, United States Fish Commissioner, and his efficient corps of assistants, for whose efforts and courtesy the Commissioners and the State are under many obligations.

The thanks of the State are due also to the railroad companies who furnished free transportation for the distribution of fish fry and enabled the Commission to largely decrease the cost of this branch of their work.

In making this final report the Commissioners feel highly gratified when they review the progress of fish culture during the past five years. As can be seen by the statement printed in the body of the report, the cost of hatching fry has decreased yearly and the scope of operations has widened. To the list of food fishes artificially propagated has been added the muscallonge, the smelt, the tomcod, lobster, black-finned white fish, and the pike perch. These are all valuable food fish, and have been hatched in very large quantities. No work done by the Commissioners has been more highly commended than their efforts to extend their operations in hatching food fishes, and in this work they were eminently successful.

L. D. HUNTINGTON,

*President.*

WM. H. BOWMAN,

D. G. HACKNEY,

I. N. COX.

[*Attest.*]

EDWARD P. DOYLE,

*Secretary*

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A P P E N D I X .

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*Nets and other illegal devices for the taking of fish seized and destroyed by protectors October 9, 1894,  
to May 1, 1895.*

		Set Lines.	Fyke Nets.	Trap Nets	Seines.	Gill Nets.	Eel Pack	Dip Net.	Value.
October .....	H. Hawn.....	.....	.....	4	.....	.....	.....	.....	\$80 00
October .....	J. Northrup .....	3	4	3	.....	3	.....	.....	232 00
October .....	H. C. Carr .....	.....	18	.....	1	2	.....	.....	430 00
October .....	H. O'Leary.....	3	.....	.....	.....	1	.....	.....	21 00
October .....	G. M. Schwartz .....	3	3	.....	.....	3	.....	.....	105 00
October .....	C. H. Barber .....	1	.....	.....	.....	.....	.....	.....	8 00
October .....	C. Cotton .....	2	.....	.....	.....	5	1	.....	80 00
October (special) ..	L. W. Reed.....	1	.....	.....	.....	1	.....	.....	20 00
October (special) .	Waterman .....	6	2	.....	.....	.....	.....	.....	70 00
November .....	I. Kenwell .....	.....	5	.....	.....	.....	.....	.....	50 00
November .....	H. Hawn.....	.....	.....	2	.....	.....	.....	.....	40 00
November .....	J. Northrup .....	3	8	.....	.....	2	.....	.....	188 00
November .....	H. C. Carr .....	.....	43	2	.....	2	.....	.....	970 00
November .....	H. O'Leary.....	8	.....	.....	.....	7	.....	.....	84 00
November .....	G. M. Schwartz .....	.....	2	.....	.....	4	.....	.....	100 00
November .....	Ripson .....	.....	.....	.....	1	.....	.....	.....	15 00
November .....	C. H. Barber .....	3	.....	.....	.....	.....	.....	.....	26 00
November .....	C. Cotton.....	.....	.....	.....	.....	9	.....	.....	110 00
November (special) .	S. Marshall.....	.....	1	.....	.....	1	.....	.....	20 00
December .....	H. Hawn.....	.....	.....	4	.....	.....	.....	.....	80 00
December .....	J. Northrup .....	3	2	.....	.....	1	.....	.....	66 00
December .....	H. C. Carr .....	.....	10	1	.....	.....	.....	.....	275 00
December .....	H. O'Leary.....	21	.....	.....	.....	6	.....	.....	72 00
December .....	G. M. Schwartz .....	.....	12	.....	.....	23	.....	.....	580 00



## CASES DISPOSED OF DURING

Month.	Protectors.	TITLE OF CAUSE.	Offense.
1894.			
Oct.	R. Brown, Jr. ....	People v. Wm. Lindel.....	Shooting robins.....
Oct.	R. Brown, Jr. ....	People v. G. Fuesia .....	Shooting robins.....
Oct.	Willett Kidd.....	People v. Reuben Baisley ..	Violating sec. 81 Game Laws.....
Oct.	Willett Kidd.....	People v. Thos. Brooke.....	Violating sec. 81 Game Laws.....
Oct.	Willett Kidd.....	People v. Oscar Post.....	Using dynamite.....
Oct.	Willett Kidd.....	People v. John Larkin.....	Using dynamite.....
Oct.	Willett Kidd.....	People v. Ed. Larkin.....	Using dynamite.....
Oct.	Willett Kidd.....	People v. Joseph Larkin...	Using dynamite.....
Oct.	Matthew Kennedy.	People v. John Decker.....	Violating sec. 102 Game Laws.....
Oct.	Matthew Kennedy.	People v. Freeman Seaton..	Illegal fishing .....
Oct.	Matthew Kennedy.	People v. Philip Steckles...	Illegal fishing .....
Oct.	Matthew Kennedy.	People v. Danl. Steckles....	Illegal fishing .....
Oct.	Matthew Kennedy.	People v. Robert Teator....	Illegal fishing .....
Oct.	Matthew Kennedy.	People v. Chas. Hoetzel and three others....	Illegal fishing .....
Oct.	Isaac Kenwell.....	People v. Edwin Buckley ..	Killing fawn.....
Oct.	John Hunkins.....	People v. James Grayton...	Killing deer .....
Oct.	Frank Joy.....	People v. G. Blake.....	Violation of sec. 41 of Game Laws.....
Oct.	Frank Joy.....	People v. George Beader...	.....
Oct.	Frank Joy.....	People v. W. M. Remington .....	.....
Oct.	H. Hawn.....	People v. M. Pindle.....	Using trap nets in Oneida Lake .....
Oct.	J. Northrup.....	People v. Geo. Sternburgh..	Violation of sec. 41 of Game Laws.....
Oct.	H. C. Carr.....	People v. G. W. Burgett....	Using dynamite.....
Oct.	G. M. Schwartz....	People v. Fred. Lockhart...	Illegal fishing .....
Oct.	G. M. Schwartz...	People v. Fred Bouffordt..	Illegal fishing .....
Oct.	James McMillin ...	People v. Sher. Saterlee...	Illegal fishing .....
Oct.	James McMillin ...	People v. Ira Kane.....	Illegal fishing .....
Oct.	C. H. Barber.....	People v. Dr. J. S. White..	Having live fawn in possession.....
Oct.	E. Burnside.....	People v. Justin H. Potter	Using illegal nets....
Nov.	R. Brown, Jr. ....	People v. H. C. Schrader..	Shooting ducks from naphtha launch....
Nov.	R. Brown, Jr. ....	People v. J. W. Pellow...	Shooting ducks from naphtha launch....
Nov.	R. Brown, Jr. ....	People v. J. W. Winter...	Shooting ducks from naphtha launch....
Nov.	R. Brown, Jr. ....	People v. C. Schwanecher.	Shooting ducks from naphtha launch....
Nov.	Frank Joy.....	People v. A. Zehr.....	Violation section 76, Game Laws.....
Nov.	H. Hawn .....	People v. Asa Shell.....	Charge not named...
Nov.	H. Hawn .....	People v. Fred Shell .....	Charge not named...
Nov.	H. Hawn .....	People v. Walter Birdseye.	Charge not named...
Nov.	H. Hawn .....	People v. Geo. Scisson.....	Charge not named...
Nov.	H. Hawn .....	People v. C. Van Alstyne..	Charge not named...



YEAR ENDING APRIL —, 1895.

Results.	Amount of recovery.	Amt. noted as paid.	Remarks.
.....	.....	.....	
.....	.....	.....	
Committed to county jail.....	.....	.....	
Committed to county jail.....	.....	.....	
Committed .....	\$25 00	\$25 00	
Committed .....	25 00	25 00	
Committed .....	25 00	25 00	
Committed .....	25 00	25 00	
Paid fine, \$10.....	10 00	10 00	
Judgment entered in favor of plaintiff .....	.....	.....	
.....	.....	.....	
Defendants appealed to County Court .....	.....	.....	
.....	.....	.....	
Plead guilty, \$100.....	100 00	.....	
Pleaded guilty, paid fine \$10.....	10 00	10 00	
Indictment found by St. Lawrence county grand jury .....	.....	.....	
Fine of \$25 imposed.....	25 00	.....	Sentence suspended, 60 days.
Fine of \$25 imposed.....	25 00	.....	Sentence suspended, 60 days.
Fine of \$25 imposed.....	25 00	.....	Sentence suspended.
Judgment rendered for.....	223 11	.....	
Paid penalty, \$100 .....	100 00	100 00	and costs.
Paid penalty, \$100 and costs .....	100 00	100 00	
Fined \$25, or 25 days in workhouse .....	.....	.....	Cnose workhouse.
Fined \$25, or 25 days in workhouse .....	.....	.....	Chose workhouse.
Pleaded guilty, fined \$25 .....	.....	.....	
Pleaded guilty, fined \$25 .....	.....	.....	
Pleaded guilty, paid fine \$10 ....	10 00	10 00	
Acquitted .....	.....	.....	Two trials had; first jury disagreed; second acquitted.
Fined \$25.....	25 00	25 00	
Fined \$25.....	25 00	25 00	
Fined \$25.....	25 00	25 00	
Fined \$25.....	25 00	25 00	
Settled on payment of \$80.70 by default .....	80 70	80 70	
Fined \$5.....	5 00	.....	
Fined \$5.....	5 00	.....	
Fined \$25.....	25 00	.....	
Fined \$25.....	25 00	.....	
Fined \$15.....	15 00	.....	

## CASES DISPOSED OF DURING

Month.	Protector.	TITLE OF CAUSE.	Offense.
1894.			
Nov.	H. Hawn .....	People v. Edward Joy.....	Charge not named...
Nov.	H. Hawn .....	People v. Fred Warner.....	Charge not named...
Nov.	G. M. Schwartz...	People v. L. Otenheimer ..	Shooting ducks from steamboat .. .....
Nov.	Chas. Ripson.....	People v. Lang Bros.....	Violation section 40, Game Laws.....
Nov.	C. Cotton.....	People v. C. Wagner.....	Illegal fishing .....
Nov.	J. Liske, special ..	People v. G. Skinner.....	Violation section 78, Game Laws.....
Nov.	J. Liske .....	People v. Peter Smith.....	Violation section 78, Game Laws.....
Nov.	Chief Pond.....	People v. J. H. Bean.....	Not named.....
Nov.	D. P. Wood, spec.	People v. H. F. Bennett...	Illegal fishing .....
Dec.	W. Kidd.....	People v. C. Soberriek ....	Shooting rabbit.....
Dec.	W. Kidd .....	People v. W. C. De Graw...	Shooting ducks from steamboat .....
Dec.	Matthew Kennedy.	People v. J. E. Maloy.....	Illegal shad fishing ..
Dec.	Matthew Kennedy.	People v. John Denny .....	Possession of illegal game.....
Dec.	Matthew Kennedy.	People v. Wilfred Denny...	Possession of illegal game.....
Dec.	Matthew Kennedy.	People v. Fred Formsbee...	Illegal fishing .....
Dec.	Matthew Kennedy.	People v. Louis Ackerman.	Illegal fishing .....
Dec.	Matthew Kennedy.	People v. Charles Burdell..	Illegal fishing .....
Dec.	B. A. Cameron ....	People v. J. Armstrong.....	Venison in possession in close season.....
Dec.	J. Hunkins.....	People v. Lindon Kelly....	Killing deer .....
Dec.	Frank Joy .....	People v. Henry Mullen....	Venison in possession in close season.....
Dec.	Frank Joy .....	People v. Woolsey Glasbey.	Venison in possession in close season.....
Dec.	John Fields .....	People v. E. Kyser .....	Illegal fishing .....
Dec.	H. C. Carr .....	People v. David Sickles....	Illegal fishing .....
Dec.	H. C. Carr .....	People v. Milton Phillips...	Illegal fishing .....
Dec.	G. M. Schwartz...	People v. Luke Stone.....	Illegal fishing .....
Dec.	G. M. Schwartz....	People v. Ed. Harmon.....	Illegal fishing .....
Dec.	G. M. Schwartz....	People v. John Gassner ....	Illegal fishing .....
Dec.	G. M. Schwartz....	People v. John Smuser.....	Illegal fishing .....
Dec.	Charles Ripson....	People v. John Pieffer .....	Illegal fishing .....
Dec.	E. Burnside.....	People v. Dana Whipple...	Violation secs. 102 and 149 Game Laws....
Dec.	E. Burnside.....	People v. Irving Hokes....	Violation secs. 102 and 149 Game Laws....
Dec.	E. Burnside.....	People v. Eugene Allen....	Violation secs. 192 and 149 Game Laws....
Dec.	E. Burnside.....	People v. M. Conlon.....	Violation secs. 102 and 149 Game Laws....
Dec.	E. Burnside.....	People v. Harry Spingler ..	Violation secs. 102 and 149 Game Laws....
Dec.	E. Burnside.....	People v. Peter Lamy .....	Violation secs. 102 and 149 Game Laws....
Dec.	E. Burnside.....	People v. Alf. Finnegan....	Violation secs. 102 and 149 Game Laws....
Dec.	E. Burnside.....	People v. McChesney.....	Violation secs. 102 and 149, Game Laws

YEAR, ETC.— (*Continued*).

Results.	Amount of recovery.	Amt. noted as paid.	Remarks.
Fined \$15.....	\$15 00	.....	
Fined \$15.....	15 00	.....	
Verdict for defendant.....	.....	.....	
Paid fine, \$40 .....	40 00	\$40 00	
Convicted .....	20 00	20 00	
Fined \$40.....	40 00	.....	
Fined \$23 and 7 days in jail.....	23 00	.....	and 7 days in jail.
Verdict for defendant.....	.....	.....	Appealed.
Pleaded guilty, fined.....	25 00	25 00	
Paid fine and costs, fine \$10.....	10 00	10 00	and costs.
Convicted .....	50 00	.....	and costs.
Penalty of \$100 imposed.....	.....	.....	In default committed to jail for 125 days.
Pleaded guilty, paid fine \$40 .....	40 00	40 00	
Pleaded guilty, paid fine \$40 .....	40 00	40 00	
Pleaded guilty and paid \$10 .....	10 00	.....	
Pleaded guilty and paid \$10 .....	10 00	.....	
Fined \$10.....	10 00	.....	
Judgment of \$15 and costs .....	15 00	.....	
Conviction and judgment of \$50.	50 00	.....	
Conviction and judgment of \$50.	50 00	50 00	
Pleaded guilty, paid fine \$75 .....	75 00	75 00	
Pleaded guilty, paid fine \$10.....	10 00	10 00	and costs.
Pleaded guilty, paid fine \$20 .....	20 00	20 00	and costs.
Fined \$10.....	10 00	.....	
Fined \$50.....	50 00	.....	In default committed 50 days.
Fined \$25.....	25 00	25 00	
Fined \$25.....	25 00	25 00	
Fined \$25.....	25 00	.....	
Discharged .....	.....	.....	For want of jurisdiction.
.....	.....	.....	
Pleaded guilty, settled .....	25 00	25 00	and costs.
Plead guilty, penalty and costs..	25 00	25 00	and costs.
Plead guilty, penalty and costs..	25 00	25 00	
.....	.....	.....	
.....	.....	.....	
Plead guilty, penalty and costs..	25 00	25 00	and costs.
.....	.....	.....	



## CASES DISPOSED OF DURING

Month.	Protectors.	TITLE OF CAUSE.	Offense.
1895.			
Jan.	M. Kennedy.....	People v. Jas. Turner.....	Illegal possession of rabbits.....
Jan.	M. Kennedy.....	People v. R. Teator.....	Netting in trout streams.....
Jan.	B. A. Cameron....	People v. Milton Steele ...	Illegal duck shooting.
Jan.	Frank Joy.....	People v. Geo. Blade.....	Killing deer.....
Jan.	Frank Joy.....	People v. J. Briggs.....	Having venison in close season.....
Jan.	Frank Joy.....	People v. E. G. Seymour..	Hounding deer.....
Jan.	Frank Joy.....	People v. F. Baker.....	Hounding deer.....
Jan.	Frank Joy.....	People v. Geo. Hodges ...	Killing deer.....
Jan.	H. Hawn.....	People v. F. Sayles.....	Illegal netting fish...
Jan.	H. Hawn.....	People v. Ed. Fox.....	Illegal netting fish...
Jan.	H. Hawn.....	People v. John Fox.....	Illegal netting fish...
Jan.	H. Hawn.....	People v. Geo. Wilson.....	Illegal fishing.....
Jan.	H. Hawn.....	People v. W. Coleman.....	Illegal fishing.....
Jan.	H. Hawn.....	People v. W. Phillips.....	Illegal fishing.....
Jan.	H. Hawn.....	People v. V. R. Ames.....	Illegal fishing.....
Jan.	H. C. Carr.....	People v. J. Snyder.....	Violation sec. 50, Game Laws.....
Jan.	H. C. Carr.....	People v. P. Alpeter.....	Violation sec. 50, Game Laws.....
Jan.	G. M. Schwartz ...	People v. G. H. Croughton,	Shooting quail in close season.....
Jan.	G. M. Schwartz ...	People v. G. Croughton, Jr.	Shooting quail in close season.....
Jan.	G. M. Schwartz ...	People v. J. E. Mock.....	Shooting quail in close season.....
Jan.	Charles Ripson ...	People v. C. Peiffer.....	Illegal fishing.....
Jan.	E. Burnside.....	People v. Frank Pierce ...	Illegal net fishing....
Jan.	E. Burnside.....	People v. C. F. Wedder-spoon.....	Illegal net fishing....
Jan.	C. Cotton.....	People v. B. Cary.....	Shooting birds in close season.....
Jan.	A. B. Witheral, special.....	People v. Amos Kingsley..	Killing deer in close season.....
Jan.	A. B. Witheral, special.....	People v. H. Drew.....	Killing deer in close season.....
Jan.	A. B. Witheral, special.....	People v. F. Harvey.....	Killing deer in close season.....
Jan.	A. B. Witheral, special.....	People v. E. French.....	Killing deer in close season.....
Jan.	S. Marshall, special	People v. J. Tennison.....	Illegal fishing.....
Jan.	J. W. Liske, special	People v. W. W. Caper....	No offense named....
Feb.	Matthew Kennedy.	People v. N. Clapper.....	Illegal fishing.....
Feb.	I. Kenwell.....	People v. J. Leaf.....	Violation of sec. 41..
Feb.	I. Kenwell.....	People v. W. Paine.....	Dog running at large.
Feb.	John Hunkins....	People v. B. Ashley.....	Illegal fishing.....
Feb.	F. Joy.....	People v. M. Yancey.....	Violation of sections 40 and 41.....
Feb.	F. Joy.....	People v. A. Moser.....	Violation of sections 40 and 41.....
Feb.	F. Joy.....	People v. E. W. Putnam..	Violation of sections 40 and 41.....
Feb.	F. Joy.....	People v. H. Scott.....	Possession of venison in close season....
Feb.	F. Joy.....	People v. John Saver.....	Violation of section 76 of Game Laws.....

YEAR, ETC.— (Continued).

Result.	Amount of recovery.	Amt. noted as paid.	Remarks.
Fined .....	\$10 00	\$10 00	
Committed, penalty \$100 .....	100 00	.....	and costs.
Pleaded guilty.....	10 00	10 00	
Find \$25.....	25 00	25 00	In default committed 25 days in jail.
Pleaded guilty.....	100 00	100 00	
Pleaded guilty and settled.....	25 00	25 00	and costs.
Pleaded guilty and settled.....	25 00	25 00	and costs.
Settled on payment of \$50.....	50 00	50 00	
Judgment \$100.....	100 00	.....	
Judgment \$100.....	100 00	.....	
Judgment \$100.....	100 00	.....	
Judgment costs \$15.....	.....	.....	
To jail 10 days.....	.....	.....	
Fined \$115.....	115 00	.....	
Fined \$45.....	45 00	.....	
Fined \$25.....	25 00	.....	and costs.
Fined \$25.....	25 00	.....	and costs.
Acquitted.....	.....	.....	
Commuted, fined \$10 .....	10 00	.....	
Commuted, fined \$10.....	10 00	.....	
Commuted, fined \$10.....	10 00	.....	and costs.
Settled on payment of \$50.....	50 00	50 00	and costs.
Settled on payment of \$50.....	50 00	50 00	and costs.
.....	.....	.....	
Fined \$25.....	25 00	.....	Sentence suspended.
Fined \$25.....	25 00	.....	Sentence suspended.
Fined \$32.60.....	32 60	.....	Sentence suspended.
Fined \$109.....	109 00	.....	Sentence suspended.
Settled on payment of \$60.....	60 00	60 00	
Settled on payment of \$50.....	50 00	50 00	and costs.
Judgment \$100 .....	100 00	.....	and costs.
Convicted, county jail 40 days..	.....	.....	Case appealed.
Fined \$10.....	10 00	10 00	
Pleaded guilty, fined \$25.....	25 00	25 00	
.....	.....	.....	
.....	.....	.....	
.....	.....	.....	
Indictment by grand jury.....	.....	.....	St. Lawrence county.
Convicted, \$50 or 60 days in jail.	50 00	.....	Sentence susp'd 90 days.



## CASES DISPOSED OF DURING

Month.	Protectors.	TITLE OF CAUSE.	Offense.
1895.			
Feb.	John Fields .....	People v. H. C. Cartie ....	Illegal fishing.....
Feb.	John Fields .....	People v. John Zoller.....	Illegal fishing .....
Feb.	J. Northrup .....	People v. R. Phillips and H. Marks.....	Illegal nets.....
Feb.	Charles Ripson ....	People v. E. Dunlap.....	Illegal nets.....
Feb.	C. H. Barber.....	People v. E. Petteys.....	Illegal fishing .....
Feb.	C. H. Barber.....	People v. J. S. Petteys....	Illegal fishing .....
Feb.	Chief Pond.....	People v. M. J. Rockwell..	Killing deer.....
Mch.	Matthew Kennedy.	People v. J. Juckum.....	Violation of sections 101 and 102 of Game Laws.....
Mch.	Matthew Kennedy.	People v. M. Juckum .....	Violation of sections 101 and 102 of Game Laws.....
Mch.	Matthew Kennedy.	People v. W. Van Benschoten.	Violation of sections 101 and 102 of Game Laws.....
Mch.	Matthew Kennedy.	People v. C. J. Pitcher...	Violation sections 101 and 102 Game Laws
Mch.	Matthew Kennedy.	People v. Chas. Case.....	Violation sections 101 and 102 Game Laws
Mch.	Matthew Kennedy.	People v. P. Loucks.....	Violation sections 101 and 102 Game Laws
Mch.	Matthew Kennedy.	People v. W. Rowe.....	Violation sections 101 and 102 Game Laws
Mch.	Matthew Kennedy.	People v. I. Hallock .....	Violation sections 101 and 102 Game Laws
Mch.	Matthew Kennedy.	People v. J. Rowe .....	Violation sections 101 and 102 Game Laws
Mch.	I. Kenwell.....	People v. W. Woodward..	Violation sections 101 and 102 Game Laws
Mch.	I. Kenwell.....	People v. R. Glassbrook...	Venison in possession in close season.....
Mch.	I. Kenwell.....	People v. F. J. Potter ....	Venison in possession in close season.....
Mch.	F. Joy.....	People v. J. Yonsey.....	Venison in possession in close season.....
Mch.	F. Joy.....	People v. C. Lyndecker....	Venison in possession in close season.....
Mch.	F. Joy.....	People v. C. Zehr.....	Venison in possession in close season.....
Mch.	F. Joy.....	People v. W. Noonan.....	Venison in possession in close season.....
Mch.	F. Joy.....	People v. G. Hodges .....	Venison in possession in close season.....
Mch.	H. Hawn.....	People v. F. Sickles.....	Illegal fishing .....
Mch.	H. Hawn.....	People v. M. Perkins.....	Shipping partridges..
Mch.	H. Hawn.....	People v. H. Jackson .....	Illegal fishing .....
Mch.	J. Northrup.....	People v. J. Strong.....	Illegal fishing .....
Mch.	J. Northrup.....	People v. O. Strong.....	Illegal fishing .....
Mch.	H. C. Carr.....	People v. G. Hulslander...	Violation section 49 Game Laws .....
Mch.	H. C. Carr.....	People v. J. Orcott.....	Violation section 49 Game Laws .....
Mch.	Chief Pond.....	People v. A. Judson.....	Killing deer.....
Apr.	W. Kidd.....	People v. Z. Small .....	Violation section 49..
Apr.	W. Kidd.....	People v. Geo. Webber....	Venison in possession in close season....
Apr.	M. Kennedy.....	People v. J. Clark .....	Using dynamite.....



YEAR, ETC — (*Continued*).

Results.	Amount of recovery.	Amt. noted as paid.	Remarks.
Pleaded guilty, fined \$5.....	\$5 00	.....	
Pleaded guilty, fined \$5 .....	5 00	.....	
Convicted and fined \$25 each....	50 00	.....	Fifteen days in jail.
Convicted and fined \$15 or.....	15 00	.....	
Fined \$10 and costs.....	10 00	.....	
Fined \$10 and costs.....	.....	.....	
.....	.....	.....	
Convicted and fined \$37.50.....	37 50	.....	
Convicted and fined \$37.50.....	37 50	.....	
Convicted and fined \$10.....	10 00	.....	
Convicted and fined \$10.....	10 00	.....	
Convicted and fined \$35.....	35 00	.....	
Convicted and fined \$35.....	35 00	.....	
Convicted and fined \$35.....	35 00	.....	
Convicted and fined \$35.....	35 00	.....	
Convicted and fined \$35.....	35 00	.....	
Fined \$15.....	15 00	\$15 00	
Fined \$11.50.....	11 50	.....	
Fined \$20.....	20 00	.....	
Fined \$106.....	106 00	.....	
Fined \$82.28.....	82 28	.....	
Fined \$57.25.....	57 25	.....	
Fined \$26.....	26 00	.....	
Fined \$60.....	60 00	.....	
Pleaded guilty, fined \$15.....	15 00	15 00	and costs.
Dismissed on his paying costs..	.....	.....	
Pleaded guilty, paid fine \$10...	10 00	10 00	
Fined \$25.....	25 00	.....	
Fined \$25.....	25 00	.....	
Pleaded guilty, fined \$25.....	25 00	25 00	and costs.
Pleaded guilty, fined \$25.....	25 00	25 00	and costs.
.....	.....	.....	
Fined, paid \$25.....	25 00	25 00	and costs.
.....	.....	.....	
Pleaded guilty, fined, paid.....	75 00	75 00	

## CASES DISPOSED OF DURING

Month.	Protectors.	TITLE OF CAUSE.	Offense.
1895.			
Apr.	M. Kennedy.....	People v. S. Vail.....	Violation of section 101 Game Laws....
Apr.	M. Kennedy.....	People v. W. Juckett.....	Violation of section 101 Game Laws....
Apr.	M. Kennedy.....	People v. S. Juckett .....	Violation of sec. 101 Game Laws .....
Apr.	M. Kennedy.....	People v. C. Robinson ....	Violation of sec. 101 Game Laws .....
Apr.	M. Kennedy.....	People v. N. Clapper.....	Violation sec. 102...
Apr.	I. Kenwell .....	People v. W. Woodward ..	Illegal trout fishing .
Apr.	I. Kenwell.....	People v. F. Brown.....	Illegal trout fishing..
Apr.	John Hunkins.....	People v. M. Failing .....	Illegal fishing.....
Apr.	John Hunkins.....	People v. W. Levine .....	Illegal fishing .....
Apr.	Frank Joy .....	People v. C. Bintz .....	Violation secs. 40, 41, 42 and 44 Game Laws .....
Apr.	Frank Joy.....	People v. J. Yoncey.....	.....
Apr.	Frank Joy .....	People v. M. Crowner .....	.....
Apr.	Frank Joy .....	People v. W. Clark .....	.....
Apr.	Frank Joy .....	People v. J. Turk.....	.....
Apr.	Frank Joy .....	People v. C. Mullen.....	.....
Apr.	Frank Joy .....	People v. W. Humes .....	.....
Apr.	Frank Joy .....	People v. John Heck .....	.....
Apr.	Frank Joy .....	People v. Isaac Burr.....	.....
Apr.	Frank Joy.....	People v. C. Beshet.....	.....
Apr.	Frank Joy .....	People v. E. Kennedy.....	.....
Apr.	Frank Joy .....	People v. C. Sixbury.....	.....
Apr.	Frank Joy .....	People v. F. Norty.....	Violation 40 and 41 }
Apr.	Frank Joy .....	People v. H. D. Laport....	Violation 40 and 41 }
Apr.	Frank Joy .....	People v. Giraden .....	Violation 40 and 41 }
Apr.	Frank Joy .....	People v. Wm. Tanner....	Violation 40 and 41 }
Apr.	Frank Joy .....	People v. J. Putnam.....	Violation 40 and 41..
Apr.	Frank Joy .....	People v. W. Briggs .....	Violation 40 and 41..
Apr.	Frank Joy .....	People v. E. W. Putnam ..	Violation 40 and 41..
Apr.	Frank Joy .....	People v. M. Yoncey .....	Violation 40 and 41..
Apr.	Frank Joy .....	People v. M. D. Alger.....	Violation 40 and 41 ..
Apr.	Harrison Hawn....	People v. M. Deline.....	Illegal fishing.....
Apr.	Harrison Hawn....	People v. C. S. Bristol .....	Illegal fishing.....
Apr.	H. C. Carr.....	People v. F. Gartie .....	Illegal fishing.....
Apr.	H. C. Carr.....	People v. L. E. Merrill.....	Illegal fishing.....
Apr.	G. M. Schwartz....	People v. J. McShea.....	Illegal fishing.....
Apr.	G. M. Schwartz....	People v. J. Osterly .....	.....





# STATEMENT.

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Statement of Fish Fry Hatched and Planted, from October 1, 1894, to April 30, 1895, Inclusive, by the Commissioners of Fisheries.

Whitefish.....	24,000,000
Brook trout.....	3,935,000
Brown trout.....	1,977,500
Lake trout.....	3,010,000
Black finned whitefish.....	80,000
Land-locked salmon.....	30,000
Smelt.....	41,292,000
Adirondack frost fish.....	10,815,000
Ciscoes.....	18,000,000
Tom cods.....	32,225,000
	<hr/>
	135,364,500
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The following fry were hatched and in part planted by the Commissioners of Fisheries, and in part planted by the Fisheries, Game and Forest Commissioners:

Rainbow trout.....	135,000
Atlantic salmon.....	15,000
Saibling.....	6,000
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	156,000
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Eggs of pike perch and muskallonge in quantity sufficient to hatch about 50,000,000 fry were gathered and in process of hatching by the Commissioners of Fisheries April 30, 1895. Fry planted by the Fisheries, Game and Forest Commissioners.

It is possible that a small number of these 135,364,500 fry may have been planted by the Fisheries, Game and Forest Commission after April 30th.

# Contingent Expenses, Commissioners of Fisheries

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Contingent as Paid by Commmissioners of Fisheries, October 1,  
1894, to April 26, 1895.

This includes Secretary's salary, General Superintendent's salary and expenses, expenses of carrying out chapter 598, Laws of 1887, and chapter 483, Laws of 1892, rent of office, clerk hire, expenses of the Commissioners in performance of their duties, printing and stationery for hatcheries and office, typewriting and numerous other items.

Expenses of Commissioners .....	\$1,009 00
Typewriting.....	268 88
Printing and stationery.....	756 54
Secretary's salary.....	1,333 28
Engineering... ..	378 85
Postage.....	88 85
Disbursement as secretary and engineer.....	1,023 50
Rent of office.....	166 67
Clerk hire, offices at New York and Albany.....	355 80
Insurance .....	23 75
Janitor .....	42 00
Press clippings.....	20 00
Ice for office.....	20 80
J. Annin, Jr., General Superintendent's salary.....	416 67
J. Annin, Jr., General Superintendent's expenses.....	186 96
Forest and Stream .....	3 50
	<hr/>
	\$6,095 05
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Items of expenses incurred by the Commissioners of Fisheries  
to May 1, 1895 (not due or not paid April 26, 1895).

J. Annin, Jr., General Superintendent, month of April salary .....	\$208 34
J. Annin, Jr., General Superintendent, month of April expenses .....	71 17
C. Wyeth, engineering.....	87 50
Rent of office .....	164 64
Garrison & Co., 100 fish cans, \$1.85 each.....	185 00
Great Western Fire Clay Co., 8-inch pipe for Beaver kill H .....	9 99
	<hr/>
	\$6,821 69
	<hr/> <hr/>



MAINTENANCE OF HATCHERIES.

	Caledonia.	Adirondack.	Cold Spring.	Fulton Chain.	Sacandaga.	Beaverkill.	Pleasant Valley.
Octobe . . . . .r. . . . .	\$979 88	\$647 54	\$603 12	\$291 25	\$245 94	\$129 42	\$337 16
November . . . . .	1,481 29	481 82	636 48	284 07	268 65	523 44	114 42
December . . . . .	1,037 62	359 43	620 13	268 47	222 58	374 76	114 00
January . . . . .	1,113 66	372 15	544 51	279 74	205 29	177 93	241 60
February . . . . .	885 44	294 47	615 60	299 16	216 50	158 58	113 50
March . . . . .	1,564 26	355 81	460 73	291 72	189 10	164 63	140 08
April . . . . .	1,268 00	367 08	587 12	336, 80	147 50	224 52	92 75
Total . . . . .	\$8,330 15	\$2,878 30	\$4,067 69	\$2,051 21	\$1,495 56	\$1,753 28	\$1,153 51

### Appropriations by Legislature.

FOR FISCAL YEAR FROM OCTOBER 1, 1894, TO SEPTEMBER 30, 1895.

General purposes, stocking waters, etc.....	\$34,000 00
Secretary's salary.....	2,000 00
To defray expenses of chapter 598 of Laws of 1887 and chapter 488, Laws of 1892 .....	2,500 00
Maintenance of Beaverkill hatchery.....	3,000 00
Maintenance of Pleasant Valley hatchery.....	3,000 00
For hatching whitefish, ciscoes and muscallonge.....	1,500 00
Expended in fiscal year ending September 30, 1894:	
For hatching shad.....	\$1,500
Distributing black bass .....	500
Improving ponds at Caledonia hatchery.....	1,500
	<hr/>
	\$46,000 00

The last four items became available upon the Governor signing the supply bill.

Expended for maintenance of hatcheries and sub-stations in hatching ciscoes, whitefish and muscallonge .....	\$21,729 70
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Contingent expenses October 1, 1894, to April 26, 1895, including secretary's salary defraying expenses of chapter 598, Laws of 1887 and chapter 488, Laws of 1892, office rent, clerk hire, printing and stationery, expenses of Commissioners in discharge of their duties, etc. ....	\$6,095 05
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Items of expenses incurred by the Commissioners of Fisheries to May 1, 1895 (not due or not paid by them April 26, 1895):

J. Annin, Jr., General Superintendent, salary and ex- penses for month of April.....	\$279 51
C. Wyeth, services as engineer .....	87 50
Garrison & Co., 100 fish cans, \$1.85 each.....	185 00
Rent of office.....	164 64
Great Western Fire Clay Company, bill for pipe.....	9 99
Insurance.....	35 05
	<hr/>
	\$6,856 69

The Commissioners of Fisheries were legislated out of office April 25, 1895, but it being impracticable to separate the expenditures of the Commission or the distribution of fry for the month of April, the report shows the total expenditures for that month and the total distribution of fry. This makes the report as to these features from October 1, 1894 to May 1, 1895.



# Report of the State Oyster Protector.

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No. 53 BROADWAY, NEW YORK CITY, N. Y., }  
April 30, 1895.

*To the Commissioners of Fisheries, State of New York:*

GENTLEMEN.—Since my last annual report dated October 1, 1894, I have inspected the waters of this section of the State frequently. I am pleased to report that the waters of the oyster region have been in good condition generally. Very few complaints have been received at this office during said period. The outlook for the oyster industry during coming season is encouraging.

Mr. Euralis Merrill complained that the hulk of a vessel had lodged in the opening in the United States dike on the flats near the Arthur Kill, and that the passage of oyster boats and other vessels was obstructed thereby. I brought the matter to the attention of the United States authorities; the hulk was subsequently removed.

Captain John Tomlinson, of sloop Willie, complained that on October 20, 1894, mud dredgings were thrown from a scow being towed through Staten Island Sound; that the mud so discharged would fall upon oyster beds over which the vessels were then passing, and the said vessels were, at the time, on the New Jersey side of Staten Island Sound.

That if aforesaid practice be continued it would result in great injury to the oyster beds in said locality.

The foregoing complaint was corroborated by Russell Tomlinson and John Riley, who were on said sloop at the time aforesaid.

(NOTE.—A part of the boundary line between the State of New York and the State of New Jersey extends through Staten Island Sound. The oystermen of the adjoining States, by mutual consent, work upon the oyster beds on either side of said boundary line.)

The matter was promptly referred to the United States authorities, from whom permits (under certain restrictions) to deposit dredgings, are obtained.

Upon my request, Captain Tomlinson and witnesses appeared before the United States authorities and made affidavit in aforesaid matter, setting forth fully the circumstances relating thereto.

The following correspondence upon a subject of more than ordinary importance is respectfully submitted :

### The New York State Fish Commissioner's Investigation of the Typhoid Germs in Oysters.

NEW YORK, *December* 17, 1894.

JOSEPH W. MERSEREAU, *State Oyster Protector* :

DEAR SIR.—A number of cases of typhoid fever having been attributed to eating oysters from waters exposed to sewerage, you will please give your attention to investigating the subject within this State, and report to the Commissioners of Fisheries any instance that may come to your knowledge wherein oysters are exposed to sewerage or other deleterious matter from which they would be likely to be so affected as to impair their value as healthy food.

L. D. HUNTINGTON,  
*President Commission of Fisheries.*

To which I replied as follows per my Special Report of December 27, 1894 :

“Answering yours of the 17th inst., the Connecticut cases of typhoid fever attributed to eating oysters is said to be due to the fact that the oysters in question were placed to ‘freshen’ in the immediate vicinity of a sewer outlet. This exceedingly reprehensible act I believe to be without its parallel in the history of oyster culture. It has unjustly resulted in great injury to the oyster industry. If a

quantity of ice, fruit, meat, breadstuff or other articles of food were in a similarly careless manner subjected to contact with poisonous substances, it would not argue that the entire output of said commodities would be unfit for food. Nor should it be so held against oysters in general. The fact that immense quantities of oysters from the oyster regions of this State and vicinity are, without ill effect, eaten (uncooked) daily, must be accepted as a triumphant indication in behalf of our 'luscious bivalves.'

"The 'floating' and 'freshening' of oysters is about ended for the season. With the appearance of ice in our streams, soon to be expected, the few remaining oyster floats now in use will be relegated to winter quarters. To avoid any question as to the possibility of contamination, the 'freshening' of oysters at Mill Creek, S. I., should be prohibited in future.

"A supplemental report will be submitted to the end that the assurance that no contamination in the 'freshening' of oysters shall be made doubly sure. I know of no instance where oysters are now being freshened in this State in the manner alleged to have been done in Connecticut. Next season the location of oyster floats will be particularly observed and reported."

A report in detail as to the surroundings and very objectionable condition of Mill Creek, with a diagram of same, was also submitted.

### **Supplemental Report of State Oyster Protector, Joseph W. Mersereau,**

**TO SPECIAL REPORT OF DECEMBER 27, 1894, RELATING TO "FRESHENING" OYSTERS IN NEW YORK STATE.**

It has been the practice for many years on the Atlantic seaboard when "taking up" oysters from their beds in salt water, to first "lay them out," "float" or "freshen" them for market, *i. e.*, by placing them on the bottom of certain shallow streams, or in accordance with the method of recent years, putting them into receptacles called



“floats,” which are moored in water fresher than that from which the oysters were taken.

They are usually subject to contact with “brackish” or fresh water for one or two tides, or until they have taken one or two “drinks.” If the weather is warm they frequently “drink” immediately. In cold weather they may not take in fresh water for twelve hours or longer.

The flavor of most oysters is undoubtedly improved by judicious “floating;” this effect is particularly noticeable if the oysters in question are of a bitter sea-salt flavor, which becomes greatly modified by “floating.”

The absorption of fresh water also improves their appearance, as it causes them to appear “plump,” or, as commonly said, it “fattens” them.

Oysters after being “floated” bear transportation better in the shell than if shipped directly from their salt-water beds.

If oysters are “opened” and shipped in their own liquor they will ferment and spoil sooner than when their juices have been strained out and the meats washed in fresh water.

The salter the oyster the more fresh water it absorbs; one gallon of “opened” oysters with their juices strained out will take in a pint of water in about twelve hours; a like quantity has been known to absorb a pint of water in three hours.

When “opened,” washed and placed in tubs and other receptacles before shipment, fresh water being added, the meats will absorb water and increase in bulk and weight about from one-eighth to one-fifth of the original amount. The improvement in flavor, plumpness and of appearance and increase in weight is about the same, whether placed in fresh water before or after being “opened.”

A bushel of “good fat oysters” will yield about five quarts of solid meat; if “freshened” or “fattened” by the absorption of fresh water they will yield about six quarts of solid meat to the bushel.

In respect to floating oysters, Professor W. O. Atwater, says: "When thus treated, the body of the animal takes up water and parts with some of its salts, and small quantities of the nutritive ingredients will escape at the same time. The oysters become more plump, and increase considerably in bulk and weight. But the quantity of nutritive, so far from increasing, suffers a slight loss.

\* \* \* "But many people prefer the flavor of the floated oysters, and since they buy them more for the flavor than for the nutriment, doubtless very few customers would complain if they understood all the facts. And considering that the practice is very general, and the prices are regulated by free competition, the watering of oysters by floating them in the shell, perhaps, ought not to be called fraudulent.  
\* \* \* The floating of the oyster is, therefore, not a process of fattening, but of watering."

The practice of "freshening" oysters will undoubtedly continue, because, as hereinbefore shown, it is advantageous to their appearance, flavor and shipment.

The matter of locality and method of "freshening" oysters remains to be considered.

In "olden times," with but a sparse population in proximity to the oyster regions, most of our streams afforded opportunities to obtain the necessary commingling of fresh and salt water for "freshening" oysters without the contamination of sewage or other deleterious matter.

Now the conditions are exactly reversed.

It must, therefore, be apparent to even a casual observer that a change as to localities, and possibly as to the methods of "freshening" oysters must ultimately be determined upon.

Without assuming to direct the future action of oystermen as to the conduct of their business, I would respectfully suggest that such localities bordering upon salt water should be selected to "freshen" oysters as would be free from contamination; oyster "floats" or receptacles placed there should be so constructed as to receive from

faucets, valves or inlets the necessary quantity of salt water from below the surface thereof, so as to avoid contamination from drifting oily refuse or other deleterious substance; then by utilizing fresh-water supply pipes a sufficient quantity of fresh water could be let in the "floats" so as to acquire the proper density or requisite admixture of salt and fresh water as would induce the oysters to "drink."

Possibly the above system could be conveniently reversed, *i. e.*, by adding saline matter to fresh water until the necessary "brackishness" be obtained.

A system of steam pipes, or other heating apparatus, might also be arranged so as to counteract the low temperature of the water in aforesaid receptacles in winter.

The system above suggested would seem to meet the public demand for "freshened" oysters without the likelihood of the oysters absorbing contaminated water.

Oysters sold in New York markets of course come from various points; suitable and convenient localities for freshening oysters are selected by the oyster operators; they may be in this State, Connecticut or New Jersey, or elsewhere. Wherever located, however, they should be, and can be, free from contamination. This fact should be established for the benefit of the oyster industry and for the satisfaction of the authorities, and the consumers at large.

Yours very respectfully,

JOSEPH M. MERSEREAU,

*State Oyster Protector, New York State.*

Submitted Jan. 2, 1895.

To L. D. HUNTINGTON, Esq.,

*Pres't Com. of Fisheries, New York State.*

The newspapers far and near discussed the matter in a satisfactory manner. One attack I will here notice. The S. I. Independent, of January 8, 1895, contained an article entitled.



## Oystermen Angry.

THE STATE INSPECTOR'S REPORT DISPLEASES THEM.

Oysters said to be contaminated by being "Floated" near the mouth of the Mill creek.

In the next issue of said paper the following article appeared as a rejoinder :

## Mersereau Replies.

CLAIMS TO HAVE BEEN ENTIRELY MISREPRESENTED.

Has not persecuted the oystermen and favored the oil company, but is interested in the former and has had the latter indicted.

Editor Independent :

I desire to reply to an article which appeared in your issue of the 8th inst., entitled "Oystermen Angry."

Mr. Krone does not know that a number of students were recently fatally attacked by typhoid fever in Connecticut. They had eaten oysters which had been "floated" near a sewer outlet, which contained typhoid germs from typhoid fever patients residing on the line of said sewer. Some of the oysters were examined by scientists and found to contain typhoid germs, and the death of the students was attributed to eating the oysters from said sewer outlet.

The President of the Commissioners of Fisheries of the State of New York directed me to investigate and report as to any streams used for "freshening" oysters in this State that were likely to be contaminated by sewage.

Upon investigation I found that public and private sewers discharged upon the bank of the Mill creek; that privies, stables and barnyards were located on the bank of said stream; that a dye works and a brewery discharged waste water and refuse into said stream. The stench arising from a certain portion of said stream at times during the summer months is said to be revolting. Residents of Port

Richmond assures me that they would not eat oysters "freshened" at Mill creek if they knew it.

Possibly the water purifies before reaching the outlet, and possibly not. In view of all the facts, I reported as follows: "To avoid any question as to the possibility of contamination, the 'freshening' of oysters at Mill creek should be prohibited in future."

Krone alleges that I allow the oil companies to do as they please, and that the oystermen were persecuted. The truth is that I have caused the oil companies to be indicted. As I have not the function of a district attorney, judge or jury, I can neither try nor convict offenders.

The city refuse complained of flows from an adjacent State. I have repeatedly reported on the matter and requested that a conference be held and an effort be made upon the part of the law-making powers of this State and New Jersey to the end that each State enact a law of like tenor and purport to remedy said evil.

I emphatically assert that the streams in the vicinity of the oil refineries referred to are, and have been, during the past year, in better condition than formerly. This is freely admitted by users of the waters in question. While I have found it impossible to entirely eradicate the evil complained of, I have conscientiously discharged my duty in the premises, and have endeavored to reduce the escape of refuse to a minimum.

It is not my fault that some of the largest refineries in existence are located on the Kill von Kull. Under the circumstances it cannot be expected that our waters can be kept as free from pollution as they were 100 years ago. It is but justice to the old refiners to say that in some instances they have co-operated with me to prevent the escape of refuse from their plants. The construction by them of improved appliances to restrain the efflux of refuse attests this fact. The continuance of the methods adopted in recent years for arresting the escape of refuse by means of vats, rest tanks, syphons, the trapping

system, also the collection by means of blanketing scows of such refuse as might escape into the slips either from rains, leaky pipes or tanks, has contributed to materially lessen the volume of oil refuse once so plentiful in the vicinity of the oil plants. Besides, a great part of what was once considered refuse is now used for commercial purposes.

Fish were plentiful in the Kill von Kull during the past year. Large catches of bass and crabs in the waters of this section have reported. In some instances over eighty bass were caught by one boat in one tide. It would seem, therefore, that the cry of disgruntled people as to the constant abundance of refuse in and upon the waters is far fetched.

It is contended that I said nothing about "oil" in the report in question. Well, it was the matter of the possibility of the contamination of oysters by the absorption of sewage that I inquired into. It is an accepted fact that petroleum oil refuse injures the flavor and sale of oysters. Krone says "The river was covered with oil." He also says: "Last year we 'floated' 175,000 bushels of oysters in the vicinity of Starin's ship yard (Mill creek), and never heard of any complaint concerning them." Think of it! Were 175,000 bushels of oil-besmeared, oil-soaked oysters sold and no complaint heard? Whew!

Next, Krone says: "I helped to load the sloop which has been investigated."

Who investigated the sloop? I did not. I investigated the stream and surroundings, and never approached Krone, nor the sloop. So much for this bosh.

If Krone, or other oystermen think they have been persecuted, why not refer the matter to the New York State Board of Health.

Yours very respectfully,

JOSEPH W. MERSEREAU,

*State Oyster Inspector.*



## State Board of Health.

CERTAIN INQUIRIES ANSWERED AS FOLLOWS.

(Copy.)

No. 53 BROADWAY, NEW YORK CITY, N. Y.

February 14, 1895.

L. D. HUNTINGTON, Esq.,

*Prest. Commissioners of Fisheries, New York State:*

DEAR SIR:—In reply to inquiry of recent date, enclosing letter from State Board of Health of New York, I have to say: that, possibly if rock salt or other saline matter in solution be added to a certain quantity of fresh water from hydrant, or spring water, in a tank it might be so proportioned as to induce oysters to drink when placed therein. I know of no instance, however, where it has been tried.

The question of cost, convenience, and general practicability of using fresh water, “salted” vs. salt water, “freshened,” must be determined by experiment.

Oysters can be, and are now, in some localities “freshened” (entirely outside of running fresh water streams) by supplying hydrant, well water, or spring water, as the case may be, by means of pipes. I am informed that the practice of “freshening” oysters at Norwalk, Conn., by the Norwalk Oyster Company, is as follows: A tight oyster bin, say about 30 feet long, 10 feet wide, and two feet high, is moored at such locality in salt water as will run dry at low water; the oysters placed in said bin are subjected to an admixture of fresh and salt water in the following manner, *i. e.*, a plug is removed from the bottom of the floating bin for a sufficient time to allow salt water to enter, at the same time a proper quantity of fresh water is supplied from a pipe.

When the tide recedes and the oyster bin rests upon the bottom, the plug is again withdrawn and the water is allowed to escape from the bin.

Mr. Edward Thompson, of Northport, Long Island, also uses a fresh-water supply pipe to "freshen" his oysters that are placed upon the bottom of the stream, under a pier, the sides and ends of the enclosure being slated. The fresh water is discharged into the unconfined tide water covering the oysters placed as aforesaid.

Many devices are in use to "freshen" oysters, see Prof. J. A. Ryder on "Floats for the So-called Fattening of Oysters," in a letter to Prof. Baird, U. S. Commissioner of Fish and Fisheries.

The usual method of floating oysters in this and adjacent States, by mooring floats with slatted bottom and ends in brackish water, is perhaps the most efficient and least expensive system in vogue,

Structures serving similar purposes are in use in Chincoteague bay and vicinity. It is said that Mr. Conger, of Franklin City, Md., has adopted a method of warming the water in winter, by a system of steam pipes running underneath the wooden enclosure surrounding the "fattening" or "plumping" float.

"Is there any probability that oysters may be contaminated in the oyster beds by the entry of sewage into them?" No; the oyster beds are not located in the vicinity of sewer outlets, but on the contrary, the planted oyster beds are located many miles away from the city in clear sea water; the question of contamination by sewage only arises from "freshening" the oysters in improper places after they have been taken from the planted or natural beds.

As to the suggestion referring to excluding oysters "freshened" outside this State in suspicious or contaminating localities and offered for sale in this State, I supposed the matter would come under the same category as the sale of diseased meat, fish, or other deleterious food products.

During the spring, summer and fall many thousands of bushels of oysters from various sections of the oyster region are "freshened" at Rahway River, N. J., and subsequently sold in the markets of this State.

Rahway river receives the sewage from the city of Rahway, N. J., and suburbs, nevertheless, it is one of the most used localities for "freshening" oysters in this section.

My opinion as to "freshening" oysters in this section, free from contamination, is fully stated in my supplemental report to the Commissioners of Fisheries of New York State, submitted on January 2, 1895.

Yours very respectfully,

JOSEPH W. MERSEREAU,  
*State Oyster Protector, New York State.*

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## Oyster Exporters and Foreign Oyster Concerns.

### INQUIRIES ANSWERED.

The sensational agitation of the foregoing matter by the press, particularly that of England, caused many inquiries to be made by oyster exporters here and also upon the part of foreign oyster concerns as to the condition of oyster beds of certain localities, to which following general answer was made for publication:

NO. 53 BROADWAY, NEW YORK CITY, N. Y.

*February 14th, 1895.*

L. D. HUNTINGTON, Esq.,

*Prest. Commissioners of Fisheries, State of New York:*

DEAR SIR. — Yours of recent date in reference to contamination of oysters by sewage is received, and contents noted.

The following special inquiry occurs therein, "As to the condition of the waters of Raritan bay and Great South bay, also of Long Island sound, its bays and estuaries, these being the waters from which the oysters known to the trade as Sounds, East Rivers, and Blue Points are taken. Are they clear sea-water or are they contaminated by sewage?"



In reply to the foregoing I respectfully report that the oyster beds located in said waters are not contaminated by sewage, and the waters thereof are pure sea-water free from all contamination.

I am not aware that it has been alleged that aforesaid waters were contaminated by sewage, nor am I aware of any complaints of oysters taken from these waters.

Yours very respectfully,

JOSEPH W. MERSEREAU,

*State Oyster Protector, New York State.*

As stated herein in my communication of December 27, 1894, and that of February 14, 1895, the alleged contamination of oysters was entirely due to the fact that the oysters in question were placed in improper places to freshen after they had been taken from their natural or planted beds.

Oysters shipped direct from aforesaid beds to European and other markets were unquestionably not contaminated. In this connection please note article from New York Sun of February 20, 1895.

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### Our Oysters All Right.

SCANDAL RAISED AGAINST THEM BY THE ENGLISH TRADE.

Stories of Typhoid Fever Germs Break Down the Export Business —

The Largest English Buyer Comes Over and Discovers that the Stories are Ridiculous.

George G. Musson, of Liverpool, the largest English buyer of American oysters, reached New York last Saturday to investigate and if possible to get definite information on which he might contradict the rumors that American oysters are infected with typhoid germs. English newspapers in the interest of their home production, have been making a fierce assault on American oysters this

winter, and so successfully that the trade in them has been badly broken up. Last week only 200 barrels of oysters were sent to England, as against 2,500 barrels in the corresponding week a year ago. This attack on the American oyster, Mr. Musson is convinced, is without justification. He has had the American oyster tested in various ways in Liverpool, and the results have shown that they were not contaminated, except in the opinion of the English oyster growers. American oysters can be sold at a profit for less money in England than English oysters.

This scare about the American oyster was started last November by the report that several people in New Haven had contracted typhoid fever from eating oysters. This report was cabled to London, and the English newspapers took it up and have made the most of it. They declared that the American oyster beds were all contaminated by sewage, and that the American oyster was a very dangerous animal. Within two weeks after the publication of such articles the American oyster trade began to fall off, and at present there isn't enough of it to be worth discussing. In the opinion of the English the American Blue Point, which is the best oyster exported, has never ranked with their own, "Whitsatble native." This latter oyster has been sold in England for about \$6 a hundred, and that price puts it out of the reach of ordinary folks. Until the American oysters were condemned by the English newspapers, however, there was a growing demand there for Blue Points.

"I have had the American oysters carefully examined," said Mr. Musson, "and in none of them has there been any typhoid germs or any indication of contamination. I am convinced that this agitation is groundless, and I want to get proof that will clear the American oyster."

Mr. Munson has been around among the oyster growers here, and he has consulted with experts. President L. D. Huntington of the Commission of Fisheries obtained the following letter for him:

“Yours of recent date in reference to contamination of oysters by sewage is received and contents noted. The following special inquiry occurs therein :

“As to the condition of the waters of Raritan bay and Great South bay and also of Long Island sound, its bays and estuaries, these being the waters from which the oysters known to the trade as ‘Sounds,’ ‘East Rivers’ and ‘Blue Points’ are taken, are they clear sea water or are they contaminated by sewage?”

In reply to the foregoing, I respectfully report that the oyster beds located in said waters are not contaminated by sewage, and that they are pure sea waters, free from all contamination. I am not aware that it has been alleged that aforesaid waters were contaminated by sewage, nor am I aware of any complaints of oysters taken from these waters.

Yours very respectfully,

JOSEPH W. MERSEREAU,

*State Oyster Protector.*

“The assertion,” said Mr. Musson, “that these oysters are contaminated by sewage is absurd. All of the oysters that are sent to England come from these waters, which are free from sewage. The Blue Points from the Long Island coast are washed by the Atlantic ocean, and it would be impossible for sewage to reach them in any way.”

President Huntington furthermore said :

“This whole agitation was started by the English producers for the purpose of injuring our trade, and that is all there is of it. In fact, our oysters are less exposed to contamination by sewage than are the English oysters.”

Mr. Mersereau, in addition, said that all of the complaints against our oysters had been made in England, and in his opinion they were prompted by trade interests. “Not one of the oysters sent abroad,”



he said, "is freshened. They are sent just as they are taken from their beds, and a glance at the map will show you the absurdity of alleging that they may be injured by sewage. That is impossible, because there is no sewage near these beds. I remember when we had the cholera scare here, a broker ate a hearty dinner, in which oysters were included, and when it made him sick he started a theory that the oysters had become contaminated by cholera germs. But they weren't, you know; and the broker is still eating oysters. Our oyster beds are pure and uncontaminated."

Mr. Musson will return to England next week, and, with the information that he has gathered here, he will attempt to counteract the English prejudice against American oysters.

I am informed that the State Board of Health adopted my suggestion to prohibit floating or freshening of oysters at Mill creek, S. I., as this is clearly a sanitary matter it now remains for the said board to enforce its edict.

# S U M M A R Y .

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## Suits Pending.

Richmond county.....	4
New York county.....	3
Westchester county.....	2

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## Financial.

Balance available on October 1, 1894.

Salary and expense account.....	\$3,029 03
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Salary from Oct. 1, 1894 to April 30, 1895, <i>i. e.</i> 7 months at \$1,000 per year.....	\$583 31
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Traveling and incidental expenses same period as above.....	172 91
	<hr/>
	\$756 22

Balance available May 1, 1895.....	<hr/>
	\$2,272 81

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As chapter 395, Laws of the State of New York, recently enacted known as the "Fisheries, Game and Forest Law," changes the personnel and general scope of the (heretofore) Commissioners of Fisheries, I have deemed it proper to submit to your honorable body the present report covering the period from October 1, 1894 to April 30, 1895.

While thus passing from the old to the new condition of things I desire to express my admiration of the earnest methodical work and continuous success that has attended the efforts of your honorable body, during many years past in signally promoting the fish and shellfish interests of the State.

Very respectfully,

JOSEPH W. MERSEREAU,

*State Oyster Protector.*

## Secretary and Engineer's Report.

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*To the Honorable the Commissioners of Fisheries ;*

GENTLEMEN.—I present herewith my final report as Secretary and Engineer of your Commission. With this report I have presented a statement of all franchises granted up to the expiration of the term of office of your Commission, giving the number of acres, the names of the grantees and all the necessary information to enable the new Commission to take up the work of the department where it was laid down by yourselves. I have also prepared a statement showing the amount due from lessees under the State Lease Act and the amount the State can be expected to receive from annual rentals. I think the Commission is to be congratulated for the work they have done in building up this great industry. The act under which this system was inaugurated contemplated a loan to the department of a great industry and not the creation of a source of profit to the State. I think, therefore, you have reason to be proud of the work you have accomplished. Twenty-six thousand acres of land that in former years were barren and unproductive have been made a source of profit to citizens of the State, has given employment to large masses of her citizens, and will, in time, be a source of great profit to a large portion of the southern counties of this State. At Eaton's Neck alone the annual product from grounds that were barren and of no value, is at least \$200,000 a year, and it seems to me, taking into consideration the general good of the whole State, no investment ever made by the State of New York has been of more value than the development of the oyster territory. The work of the Secretary's office has been, as in former years, routine work, and in this also the distribution of fish and fry and the satisfactory reports that have been received from various parts of the State,



show that the Commissioners deserve great credit (and) also for their successful efforts to stock the depleted streams and lakes. The reports in the Adirondacks were especially favorable and indeed from every section of the community. The most satisfactory assurances were received as to the value of the work done by the Commissioners of Fisheries. I can assure you, gentlemen, that in severing my relations with the Commission I do so with great reluctance, and that I am under special obligations to every member of your body.

Very respectfully yours,

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# MINUTES

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Minutes of meeting held Tuesday, October 9, 1894.

Present — Commissioners Huntington, Cox, Bowman and Hackney  
President Huntington in the chair.

Minutes of meeting held September 11th, 1894 read, and on motion approved as read.

The Commissioners then proceeded to the consideration of monthly abstracts of accounts, with the following results, favorably:

Adirondack .....	\$324 88
Caledonia .....	763 11
Clayton .....	151 46
Cold Spring Harbor .....	461 62
Fulton Chain .....	166 15
Sacandaga .....	226 01
Cold Spring Harbor .....	401 45
Pleasant Valley .....	.....

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The Secretary was directed to sign the approval of the Commissioners and forward the above to the Comptroller.

The annual report of the Commissioners was read and with a few slight changes adopted as read.

The Commissioners proceeded to apportion the moneys of the annual appropriation with the following result:

Caledonia .....	\$12,000 00
Cold Spring Harbor .....	5,500 00
Adirondack .....	4,500 00
Sacandaga .....	2,500 00
Fulton Chain .....	3,500 00

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The Commissioners then decided that the Legislature should be asked to place the following amounts in the supply bill:

For ponds at Caledonia.....	\$1,500 00
Fresh water food-fish hatching at Clayton and Oneida lake .....	2,000 00
At Chautauqua lake .....	500 00
For shad hatching.....	1,500 00
Improvements at Fulton Chain.....	250 00

The President reported that he had carefully examined the accounts of the Secretary and had found that the receipts from fines were \$13,089.39 up to and including October 1st, 1894, and the disbursements \$12,339.39, leaving a balance of \$742.

The receipts from franchises for the year ending September 30th, were \$719.12.

A letter was received from A. Sylvester Joline thanking the Commission for their kind testimonials.

The bond of John T. Collins as a Special Game and Fish Protector in the sum of \$500 was approved.

On motion and by unanimous consent William Maynard of Westfield, New York, was appointed a Special Game and Fish Protector at the request of the Chautauqua County Board of Supervisors.

On motion and by unanimous consent Joseph Buckbee, of Oneonta, N. Y., was appointed a Special Fish and Game Protector of the State at the request of the Oneonta Fish and Game Association.

On motion and by unanimous consent, W. S. Brown and J. W. Otis were appointed Special Game and Fish Protectors at the request of the Adirondack Preserve League.

On motion and by unanimous consent, the resolution passed September 11, allowing the use of nets to take frost fish in the inland waters of the State was amended so as to allow the use of nets to take white fish also.

On motion, W. West Durant was allowed to use nets for investigation for scientific purposes in his lake near Raquette lake.



The report of the Chief Game and Fish Protector was read and ordered filed. The report of the Secretary was read and ordered filed.

A letter was received urging the Commission to endorse a proposition to dredge Cold Spring Harbor which, on motion, was referred to the president with power.

On motion and by unanimous consent, Herbert J. Annin of Scottville, New York, was appointed superintendent of the Beaverkill hatchery at a salary of \$1,080 per year, to hold office during the pleasure of the Commission.

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Minutes of meeting held Tuesday, November 13, 1894.

Present — Commissioners Huntington, Hackney, Hamilton, Bowman and Cox.

President Huntington in the chair.

Minutes of meeting held October 9, 1894, read and on motion approved as read.

The Shell-Fish Commissioner being absent, all oyster business was laid on the table until his arrival.

The report of the Chief Game and Fish Protector and the report of the Engineer were read and ordered filed.

An application was received from George M. Schwartz requesting that he be relieved from the bond of Simon Marshall.

On motion Simon Marshall was directed to furnish a new bond.

On motion, and at the request of the Genesee Valley Fish and Game Protective Association, Charles T. Doville of Sodus Bay, New York, was appointed a Special Game and Fish Protector of the State, the vote being taken by yeas and noes, all the Commissioners voting aye.

A letter was received from A. S. Downs, in re Robert Brown, Jr., complaining about violations of the Game Law in Long Island sound. On motion the following resolution was unanimously adopted:

“*Resolved*, That the Chief Game and Fish Protector be directed to investigate the charge against Humphrey O’Lahey, and report in writing to the ‘Board’ with such recommendations as he might suggest.”

The applications of D. P. Wood and R. W. Edwards for appointment as Game and Fish Protectors were laid on the table.

A letter was received from F. J. Amsden urging the Commission to consider the advisability of stocking the State forests with game.

The Secretary was directed to write that this had been done, and that a recommendation had been made to the last Legislature asking for a small appropriation.

A letter was received from W. H. Boardman requesting loan of fish car “Adirondack” to take fish from Caledonia to Adirondack League Preserve. On motion the request was granted.

The bonds of Luke M. Haywood and W. Scott Brown, Special Game and Fish Protectors, were approved.

The application of Daniel Velsor for oyster lands off Lloyd’s Neck was laid on the table until a survey could be made.

The Commission then proceeded to the auditing of monthly abstracts of accounts with the following results, favorably:

Cold Spring Harbor.....	\$603 12
Caledonia (Clayton).....	163 35
Adirondack .....	647 54
Caledonia .....	816 53
Sacandaga .....	245 94
Fulton Chain.....	291 25
Beaverkill .....	129 42
Pleasant Valley.....	337 16
Contingent and Secretary’s office.....	921 21

On motion the Secretary was directed to sign the approval of the Board and forward the above to the Comptroller.

On motion the President was authorized to make arrangements to obtain eggs from the Alder Lake Rod and Gun Club.

On motion the President was authorized to prepare a pond for rearing black bass at Cold Spring Harbor.

A letter was received from the United States Fish Commission informing the Commissioners that 500,000 lake trout eggs would be sent them.

Mr. Frank Redband reported to Monroe A. Green the number of lake trout eggs taken. The bill of L. Summall for extra work at the Pleasant Valley station was referred to D. G. Hackney.

The letter of D. P. Corey of Cansecor, Canada, was referred to the President.

The President reported the Beaverkill hatchery had been completed. On motion meeting adjourned.

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Minutes of meeting held Tuesday, December 11, 1894.

Present — Commissioners Huntington, Hamilton, Hackney, Bowman and Cox.

Minutes of meeting held Tuesday, November 13, 1894, read and on motion approved as read.

The President of the Commissioners of Fisheries then offered for sale the following described plot of land under water in Long Island sound: Lot 60, Section B, Township 917, and Lots No. 51, 52, 53, 54, 64, 74, 84, Section C, Township 918.

The terms of sale were read and bids asked for.

Dexter K. Cole bid 25 cents per acre per year rental and being the only and highest bidder was awarded the purchase.

The report of the Chief Game and Fish Protector was read and ordered filed. The report of the Engineer was read and ordered filed.

The Chief Game and Fish Protector reported that he had investigated carefully the charges against Simon Marshall, a Special Game and Fish Protector and in his opinion, after careful consideration, they were not sustained, and recommended that they be discontinued.



On motion and by a unanimous vote of the Commissioners, the charges were dismissed.

On motion a new bond of Simon Marshall in the sum of \$500 was approved.

J. Warren Pond, Chief Game and Fish Protector reported that he had investigated the charges of inefficiency made against Humphrey O'Lahey, and that he found that O'Lahey had not made an efficient Game and Fish Protector.

On motion the following resolution was unanimously adopted:

*Resolved*, That for the better efficiency of the force Humphrey O'Lahey be and hereby is removed from office as a Game and Fish Protector, and on motion it was further

*Resolved*, That Tunis D. Nares be and hereby is appointed a Game and Fish Protector of the State, in place of H. O'Lahey, removed; said removal and appointment to take effect January 1, 1895.

The Chief Game and Fish Protector reported at length in regard to E. W. Tryon, a Special Game and Fish Protector, and on motion the matter of the charges against E. W. Tryon were laid on the table until the next meeting.

The President asked that his action in revoking the fishing permit of C. H. Van Alstyne, of Syracuse, convicted of fishing illegally, be approved.

On motion the President's action was approved

On motion the following resolution was unanimously adopted:

*Resolved*, That the thanks of this Commission be tendered the members of the Commission of Fisheries of the State of Michigan, for their kindness in giving this Commission 10,000,000 of white fish eggs, and that the secretary send a copy of this resolution to the Commissioners of Fisheries of the State of Michigan.

On motion the following resolution was unanimously adopted:

*Resolved*, That William H. Bowman, Commissioner in charge of Caledonia station, be authorized to purchase 100 cans for distributing fry.

A letter was received from W. H. Thompson and others asking permission to fish in Millsite lake later than the date fixed by the Commissioners in their permits. Several other petitions of similar character were received and read, and the following resolution was adopted :

*Resolved*, That the Secretary of the Commission was directed to inform all applicants that fishing with nets for white fish and frost fish in the island lakes of the State, will not be allowed after December 15, and that extension of permits will not be granted.

On the application of the Board of Supervisors of Franklin County, Charles Davis of Constable, N. Y., Robert Eddy of Belmont, N. Y., A. G. Leslie of Owl's Head, N. Y., and F. O. Conant of Malone, N. Y., were appointed Special Game and Fish Protectors of the State, to hold office during the pleasure of the Commission.

On motion the following resolution was unanimously adopted :

*Resolved*, That F. L. Ramsdell be and hereby is appointed Superintendent of the Pleasant Valley Fish hatchery at a salary of \$76 per month, said appointment to date from December 1, 1894.

On motion N. C. Higgenson was authorized to take 250 black bass from the Hudson river and stock a lake at Newburgh, the work to be done under the supervision of Willett Kidd, Fish and Game Protector of the district.

On motion, Commissioner Hackney was appointed Commissioner in charge of the Pleasant Valley Fish hatchery.

A report was received from D. W. Riddle, Saranac Inn, N. Y., giving the result of netting in Saranac lake for pickerel. The report was received and filed.

The Commissioners then proceeded to the auditing of monthly abstracts of accounts, with the following result, favorably :

Adirondack .....	\$481 82
Caledonia (Clayton).....	524 15
Caledonia.....	957 14
Cold Spring Harbor.....	636 48

Beaverkill .....	\$1,114 09
Fulton Chain.....	284 57
Beaverkill.....	523 44
Scandaga.....	286 65
Contingent.....	.....
Clerk's office.....	.....

With the exception of the Cold Spring Harbor abstract the clerk was directed to sign the above and forward the same to the Comptroller.

In regard to the Cold Spring Harbor abstract the following resolution was unanimously adopted :

WHEREAS, Superintendent Fred Mather of the Cold Spring Harbor station, expended \$121.98 in the month of November, 1894, for some purpose not definitely known to the Commissioners of Fisheries in violation of the rules of the Commissioners, which provided that no expenditure other than for current expenses shall be made by any Superintendent without the consent of the Commissioner in charge and, further, that no expenditure exceeding \$50 shall be made at any station without a resolution of the commissioners of Fisheries authorizing such expenditure ; therefore be it

*Resolved*, That Superintendent Fred Mather be directed to appear before the Commissioners at their next meeting for the purpose of giving proper explanation for such action ; and be it further

*Resolved*, That the abstract of Cold Spring Harbor be approved with the exception of the items aggregating \$121.98, and that such items be referred to the President with power to approve upon receiving a proper explanation from Superintendent Mather.

On motion meeting adjourned.

EDWARD P. DOYLE,

*Secretary.*



Minutes of meeting held Tuesday, January 4, 1895, at the office of the Commissioners of Fisheries in the city of Albany at 10 A. M.

Present — Commissioners Huntington, Hackney, Bowman and Cox.  
President Huntington in the chair.

Minutes of meeting held December 11, 1894, read, and on motion approved as read.

At this point Superintendent Mather appeared before the Commission in response to the notification sent him to explain his vouchers for extra work in his November abstract. The vouchers were as follows :

Wm. Homan, labor.....	\$24 00
Wm. Holmes .....	22 87
T. H. Brown, labor.....	19 87
Joseph Whalen, labor .....	18 37
James Wheeler, labor.....	36 87
	<hr/>
	\$121 98
	<hr/>

The work mentioned having been done in violation of the rule of the Commission that no new work in excess of \$50 shall be done at any hatching station without a resolution of the Commissioners of Fisheries.

Mr. Mather reported in explanation that the work done was for the purpose of shortening a reservoir back of the fish hatchery in order that the temperature of the water might be lowered at the station, and acknowledged that he had exceeded his authority as superintendent in so doing, without having first secured the consent of the Commissioners in charge and of the Commissioners of Fisheries.

The President was directed to approve the abstract and forward the same to the Comptroller.

The President presented the report of the State Oyster Protector on the floating of oysters.

Commissioner Bowman offered the following resolution which upon motion was adopted:

*Resolved*, That William H. Bowman be authorized to purchase percolaters at an expense not to exceed \$70.

He also offered the further resoution, which, upon motion, was unanimously adopted :

*Resolved*, That W. H. Bowman be authorized to purchase nets for the use of the Caledonia hatchery.

The Commissioners then proceeded to the auditing of monthly abstracts of accounts, with the following result, favorably:

Cold Spring Harbor.....	\$620 13
Clayton .....	232 21
Caledonia .....	805 41
Sacandaga .....	222 58
Pleasant Valley.....	114 00

Several abstracts were missing, and, on motion, the secretary was directed to obtain the approval of the several Commissioners of Fisheries in charge and forward the abstract when thus approved, to the Comptroller.

President Huntington reported that he had completed the Beaver-kill hatchery and had transmitted vouchers, making a full accounting, to the Comptroller. The voucher of L. Small for extra work, referred to Commissioners Hackney and Hamilton, with power.

The application of Wallace L. Reed for appointment as Game and Fish Protector, was received and filed.

On motion, meeting adjourned.

EDWARD P. DOYLE,

*Secretary.*

Minutes of meeting (special) held Friday, January, 1895, at the Capitol in Albany.

Present — Commissioners Huntington, Bowman and Hamilton.

President Huntington in the chair.

A letter was received from F. J. Amsden in regard to the appointment of a Special Protector.

On motion, the letter was laid on the table till the next meeting.

The following preamble and resolutions were then adopted:

WHEREAS, At a time when four hatcheries were operated by the Commissioners of Fisheries, a system was adopted of having a Superintendent for each hatchery with a Commissioner of Fisheries in charge, and

WHEREAS, The operations of the Commission have become so extended that to-day there are seven regular hatching stations each with a Superintendent and, in addition thereto, a station for hatching muscallonge at Chautauqua lake, a station for hatching pike at Oneida lake, a station for hatching white fish and ciscoes at Alexandria bay, and a station for hatching shad on the Hudson river, and

WHEREAS, The old system inaugurated when there were but four hatcheries is plainly inadequate to meet the requirements of the present situation; therefore be it

*Resolved*, That a General Superintendent of Hatcheries be appointed who shall have full charge of all hatcheries subject to the rules and regulations of the Commissioners of Fisheries; and be it further

*Resolved*, That James Annin, Jr., of Caledonia, Livingston county, N. Y., be and he hereby is appointed General Superintendent of Hatcheries for the Commission of Fisheries, at an annual compensation of \$2,500 payable in equal monthly installments, together with his actual travelling and incidental expenses, to hold office during the pleasure of the Commission.

The petition of the Cookhouse Fish and Game Association for the appointment of J. S. Noolehan was received and ordered filed.



A petition was received from William Risley and others applying for a division of lands under water off Port Jefferson harbor which was, on motion, referred to the Shell-fish Commissioner.

At the request of the Genesee Valley Fish and Bird Protective and Propagating Association, Arthur M. Johnson of Conesus was appointed a Special Game and Fish Protector of the State to hold office during the pleasure of the Board.

On motion meeting adjourned.

EDWARD P. DOYLE,

*Secretary.*

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Minutes of meeting held February 12, 1895.

Present — Commissioners Huntington, Hackney, Bowman, Cox and Davis.

President Huntington in the chair.

Minutes of meeting held January 4th and 15th read and approved as read.

The report of the Clerk and Engineer was read and ordered filed.

The reports of the Chief Game and Fish Protector for December and January were read and ordered filed.

On motion and by a yea and nay vote, all the Commissioners voting aye, the following named persons were appointed Special Game and Fish Protectors of the State, to hold office during the pleasure of the Commission:

Alvin F. Waite, Buffalo, N. Y., appointed at the request of the Genesee Valley Game and Fish Protective Association.

Asa H. Legg, Grant, Herkimer county, appointed at the request of the Utica Fish and Game Protective Association.

Frank W. Cheney, Jamestown, appointed at the request of the Chautauqua Game and Fish Protective Association.

Emmett J. Lobdell, Northville, Fulton county, N. Y., appointed at the request of the Morehouse Lake, Rod and Gun Club.

On motion and at the request of the Board of Supervisors of Oswego county, endorsed by the Chief Game and Fish Protector, C. C. Clark, Pulaski, N. Y., was removed from office as a Special Game and Fish Protector of the State.

Mr. Whitaker, counsel for the Commission in the case of the People vs. James D. Fish et al., made a statement to the "Board" as to the status of the case, and asked authority to appeal the case to the Court of Appeals. On motion, he was authorized to make such appeal.

On motion and at the request of the Chief Game and Fish Protector of the State, E. W. Tryon, Brandon, New York, was removed from office as a Game and Fish Protector.

A letter from James Annin, Jr., accepting his appointment as General Superintendent of Hatcheries, was read and laid on the table.

The matter of the construction of a fish-way in a dam now being built by Chester W. Chapin across the Mongaup, was laid on the table.

A letter from the State Engineer and Surveyor, refusing to build a fish-way in the State dam now being constructed across the Seneca river at Baldwinsville, was read and laid on the table.

A letter was read from F. L. Ramsdell, Superintendent, in regard to the water supply at the Pleasant Valley Hatchery. On motion the letter was laid on the table.

On motion, the following resolution was unanimously adopted:

*Resolved*, That the Committee on Ways and Means of the Assembly be requested to report adversely the bill making appropriation for the purchase of the Clayton hatchery.

The application of C. G. McManus for appointment as clerk and messenger was, on motion, laid on the table.

The Commissioners then proceeded to the consideration of monthly abstracts of accounts with the following result, favorably:

Adirondack.....	\$372 15
Caledonia.....	911 26
Fulton Chain.....	279 74
Cold Spring Harbor.....	544 51

Beaverkill.....	\$177 93
Pleasant Valley.....	241 60
Sacandaga .....	205 29
Clayton.....	202 40

---

On motion, the Secretary was directed to sign the approval of the Board and forward the above to the Comptroller.

A letter was received from L. K. Buntain from the Ohio State Fish Commission, requesting some Chatauqua Lake bullheads. On motion, the request was granted.

On motion, a recess was taken until Thursday, February 28, 1895.

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Minutes of second day's meeting. Commissioner Hackney being also present.

A letter was received from James Annin, Jr., making certain suggestions as to the management of hatcheries.

On motion, the letter was accepted and adopted.

On motion, and by unanimous consent, Commissioner Davis was placed in charge of the Adirondack Station of the Commission.

On motion, the fish car "Adirondack" was placed in charge of General Superintendent Annin.

On motion, the distribution of fry of brook, brown and lake trout was referred, with power, to the President and General Superintendent of Hatcheries.

On motion, the Secretary was directed to write Dr. C. W. Crespell and offer him \$150 for the eggs delivered the Beaverkill hatchery.

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Minutes of meeting held Tuesday, March 12, 1895.

Present. — Commissioners Huntington, Bowman, Hackney, Davis and Cox.

President Huntington in the chair.

Minutes of meeting held Tuesday, February 12, 1895 read and, on motion, approved as read.



A letter was read from Clarence B Angle, Secretary of New York State Civil Service Commission, calling the attention of the Board to the fact that the appointment of James Annin, Jr, as General Superintendent was illegal, as the office was in the Comptroller's list.

On motion, the matter was referred to Commissioner Davis and Secretary Doyle.

The President brought up a letter from Z. Parker requesting favorable action on a bill to purchase additional land at the Pleasant Valley hatchery.

On motion, Commissioner Davis was requested to appear before the Committee on Ways and Means and urge favorable action on the bill, as the purchase of additional land would greatly increase the efficiency of the hatchery by providing a better and more abundant water supply.

Mr. Hackney presented the following resolution, which, upon motion, was unanimously adopted :

*Resolved*, That the Commissioners of Fisheries deem it proper, at this time, to extend to each and all of the numerous societies for the protection of fish and game throughout the State sincere thanks for the uniform courtesy extended to them at all times and for the valuable assistance rendered the game and fish protectors.

*Resolved*, That the thanks of this Board are specially extended to Mr. Henry Loftie of Syracuse, who has devoted time and money to promote the interest of fish and game protection.

On motion, the following resolution was unanimously adopted :

*Resolved*, That the hatching of mucallonge at Chautauqua lake be done from Caledonia station as last year.

On motion, the following resolution was unanimously adopted :

*Resolved*, Whereas, in the opinion of the Commissioners of Fisheries the office of Superintendent at the several State hatching stations or hatcheries, except that at Calendonia which has under its control

several different stations, has been rendered unnecessary by the creation of the office of General Superintendent ; therefore be it

*Resolved*, That on and after March 15, 1895 the office of Superintendents of hatcheries or hatching stations be and hereby is abolished and the services of several Superintendents dispensed with and the Commissioners in charge of such stations are hereby authorized to employ a competent person as foreman of each of the several stations at a salary not to exceed \$1,080 per year.

On motion, the following bonds of Special Protectors were, after examination, approved :

Frank W. Cheney, Asa H. Legg, E. J. Lobdell, John A. Weidner.

On motion, and by unanimous consent and at the request of the Genesee Valley Fish and Game Protective Association, J. F. Benton of Penn Yan, Yates County, N. Y., was appointed a Special Game and Fish Protector to hold office during the pleasure of the Board of Commissioners.

On motion, numerous applications for appointment as Game and Fish Protectors were laid on the table.

On motion, it was unanimously

*Resolved*, That two men, in addition to the Superintendent, at the Fulton Chain station, of the commission, be paid \$2 per day provided that the average rate paid per day to the men at the hatchery does not exceed \$1.90 per day.

The Commissioners then proceeded to the consideration of monthly abstracts of accounts with the following results, favorably:

Fulton Chain.....	\$299 16
Beaverkill.....	158 58
Sacandaga .....	216 50
Pleasant Valley.....	113 50
Clayton.....	127 50
Caledonia ....	757 94
Adirondack .....	294 47
Cold Spring Harbor.....	615 60

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The Secretary was directed to sign the approval of the Board and forward the above to the Comptroller.

EDWARD P. DOYLE,  
*Secretary.*

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Minutes of meeting (adjourned) held Monday, April 1, 1895, at Caledonia.

Present — Commissioners Davis, Bowman and Hackney.

On motion, Commissioner Davis was elected Chairman, pro tem.

The Commissioners proceeded to the auditing of abstracts of accounts with the following result, favorably :

Caledonia .....	\$1,197 26
Clayton .....	367 00
Contingent.....	285 09

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On motion, the Clerk or Secretary was directed to sign the approval of the Board and forward the above to the Comptroller.

On motion, the General Superintendent and the Superintendent of the Caledonia station were directed to begin at once to make arrangements for the hatching of muscallonge at Chautauqua lake, and pike at Oneida lake.

On motion, the General Superintendent was directed and authorized to purchase a boat for the use of the party hatching pike on Oneida lake, at a cost not to exceed \$8.

On motion, meeting adjourned.

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Minutes of meeting held Tuesday, April 9, 1895.

Present — Commissioners Bowman, Huntington, Davis and Hackney  
President Huntington in the chair.

Minutes of meeting held March 12 and April 1, 1895, read and approved as read.



The application of S. T. Hewston, of Newburg, for permission to transfer black bass from one lake to another was granted, the work to be done under the supervision of Dr. Willett Kidd, Game and Fish Protector.

The report of the Chief Protector was read and ordered filed. The Commissioners then proceeded to the auditing of the abstracts, with the following result, favorably :

Pleasant Valley.....	\$146 08
Sacandaga .....	189 10
Fulton Chain.....	291 72
Adirondack .....	355 81
Cold Spring Harbor.....	460 73
Beaverkill.....	164 63
Contingent.....	.....

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The Secretary was directed to sign the approval of the Board and forward the above to the Comptroller.

The matter of the claim of Fred Mather, Esq., for a month's salary as Superintendent was, on motion, rejected, and on further motion, the Secretary was directed to inform Mr. Mather that a voucher for fifteen days' pay in March would be audited and allowed.

On motion, the following preamble and resolution was unanimously adopted :

WHEREAS, A resolution was adopted March 12, 1895, abolishing the office of superintendent of hatching station, excepting at Caledonia station, and directing the commissioner in charge of the several stations to employ competent persons as foremen, and

WHEREAS, Commissioner Huntington has reported the appointment of Charles H. Walters as foreman of Cold Spring Harbor station and Herbert E. Annin at the Beaverkill station, and Commissioner Davis has reported the appointment of John G. Roberts as foreman of the Adirondack station, and Commissioner Hackney the appointment of

F. L. Ramsdell as foreman at the Pleasant Valley station, E. L. Marks at the Fulton Chain station, and E. F. Bohm at the Sacandaga station, and all of the above persons to receive an annual compensation of \$1,800, therefore be it

*Resolved*, That the action of the several Commissioners in charge be, and it is hereby ratified and confirmed, and the before named foremen be and hereby are appointed foremen of hatching stations, subject to the pleasure of the Board.

The Secretary was directed to notify the Comptroller and Secretary of State.

On motion, President Huntington and Commissioner Davis were appointed a committee to engage an office in New York for the year ending May 1, 1896.

On motion, the President and Secretary were authorized to sign a lease for such office.

The charges against Joseph Sterling, a Special Game and Fish Protector were, on motion, laid on the table, pursuant to the recommendation of the Chief Game and Fish Protector.

On motion, and by unanimous vote, the yeas and nays being taken, the following named persons were appointed Special Game and Fish Protectors: Moses S. Capen, Saratoga Springs, N. Y., appointed at the request of the Saratoga Game and Fish Protective Association.

# Report on Building the Beaverkill Hatchery Station.

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*Commissioners of Fisheries, State of New York:*

GENTLEMEN.—You having placed the building of a new hatching station at Rockland, Sullivan county, in my hands, I desire to report to you the completion of the same, including water supply and ample hatching fixtures to do all hatching that is likely to be required done at this station for several years. The land, to the extent of about four acres, was donated to the State by citizens of Rockland.

The hatchery building is 56 feet long, 36 feet wide, two stories and attic high. The entire first story is especially arranged for hatching purposes, the second story arranged for dwelling purposes and a work-shop, the attic for storage. The building is enclosed with three-fourth-inch sheating, placed diagonally over a heavy frame. This is covered with felting paper, then sided with three-fourth-inch narrow white pine siding, all material used being of the best quality, and the workmanship of the best order. I attach hereto an itemized statement of expenditures amounting to \$5,000, the amount of the appropriation for the purpose.

Conveying water from the Beaverkill river (a distance of about twelve hundred feet) to the hatchery, by an eight-inch pipe for hatchery purposes and by a fifteen-inch pipe for pond purposes, building a crib at the receiving point in the river, with almost constant rains at the time the pipe was being laid, which necessitated the relaying of a considerable portion of it, with cost of pipe, constituted a large item of the total expenditure. The pipe was made to order by the Great Western Fire Clay Company of the very best materials, of



extra thickness, lengths and length of flanges (being same quality and pattern of pipe as used by the village of New Rochelle in laying some twenty miles of sewers). There are at present in the hatchery troughs and hatching fixtures to a capacity of some two million trout eggs. The hatching room is capable of a capacity to handle several millions. The building throughout is ceiled with narrow Georgia pine, floors of best, narrow, heavy pine flooring. Roof of best cypress shingles, as before stated, all the materials being of the best quality, with workmanship of the best order, guaranteeing a durable structure, vouchers for all expenditures being duly furnished to the Comptroller by the Secretary.

Respectfully submitted,

L. D. HUNTINGTON.

## Disbursements.

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### Statement of Disbursements in Building the Beaverkill Hatching Station, Rockland, Sullivan County.

Expenses incurred preliminary to locating and building,	\$62 39
Official search of title and recording deed .....	31 30
Advertising bids.....	5 60
J. D. Ketchell and A. Van Tassel, services on specifications .....	20 00
A. Dodge, excavating, grading, building, bridge and road, etc.....	216 41
W. Warner, contract for building (\$2,725), less \$128, for shingles.....	2,597 00
Cypress shingles.....	128 00
W. Warner, extras on building .....	67 00
Great Western Fire Clay Company, pipe.....	486 23
Mrs. A. Dodge, hauling pipe, depot to hatchery.....	53 82
I. T. Watson, lumber for bridge, crib in river, ponds, etc.	85 98
Dunn & B., painting .....	8 10
Ditson, roof painting .....	13 00
Schultz Bros., gold leaf.....	3 10
Allen & Wis., materials as per bills .....	18 99
C. Johnson, weather vane and fixtures.....	17 00
Labor as per bills, digging trenches, laying about 2,400 feet pipe, building crib in river, ponds, etc .....	493 65
Express and freight.....	7 04
W. E. Sprague, services and disbursements .....	75 00
W. Warner, carpenter work, hatchery fixtures.....	41 20
Crane & Co., bills, material for hatchery fixtures .....	38 54
Johnson & A., bills, material for hatchery fixtures .....	15 82
Howard & Co., bills, material for hatchery fixtures.....	42 96
C. H. Walters, services superintending laying pipe and hatchery fixtures.....	105 00
C. H. Walters, disbursements.....	34 50

Mrs. A. Dodge, board of C. H. Walters .....	\$22 65
Campbell, Sprague & Co., supplies and disbursements, cement, tools, paint, lumber, freight, painting, etc....	242 06
Telegrams .....	3 66
Disbursements by commissioners in charge with sur- veyors, surveying for locating hatchery, for laying pipe and superintending.....	64 00
	<hr/>
	\$5,000 00
	<hr/> <hr/>



# Specification of Work.

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Specification of Work to be Done and Materials to be Used and Supplied in the Erection of a Fish Hatchery for the Commissioners of Fisheries at Rockland, Sullivan County, State of New York, According to the Design and Under the Direction of L. D. Huntington, President, or His Appointed Representative.

## GENERAL CONDITIONS.

The contractor to provide all materials new and of the best quality (unless otherwise specified), and to execute and complete in the best and most workmanlike manner all the works as hereinafter set forth and shown on the accompanying drawings, also according to the entire satisfaction of the Commissioners, with all transportation, scaffolding, labor, implements, tools and apparatus for the same.

## SETTING OUT WORK AND FOREMAN.

The contractor to set out the work accurately, and to give his personal superintendence, and to keep a competent foreman constantly on the site of the building.

## DEFECTIVE MATERIALS AND WORKMANSHIP.

The President or his authorized representative is to have at all times access to the work, which is to be entirely under his control, and may require the contractor to remove from the premises such of the materials or work as in the President's opinion are not in accordance with the specification, and to substitute without delay satisfactory work and materials, and the expense of same for so doing, and

making good other work disturbed by the change to be borne by the contractor. The contractor shall furnish and complete this work within the time named in the contract, and shall forfeit \$25 for each additional working day required beyond said time for completion of said contract.

#### RUBBISH AND WASTE.

The contractor to clear away from time to time all of the dirt and rubbish resulting from his operations, and cover and protect the work and materials from frost and all damage during the progress of the building.

#### EXTRA WORK.

No extra work will be allowed unless by a written order by the President or his representative.

#### DRAWINGS, ETC.

The contractor will keep the drawings and specifications on the site of the building during the progress of the work, and if lost, to pay the cost of their immediate renewal, and at the conclusion of the work, return all drawings and other documents to the President.

#### SPECIFICATIONS AND DRAWINGS CO-OPERATING.

The specifications and drawings are intended to co-operate so that any works shown in the drawings, or necessarily implied thereby and not mentioned in the specifications, or *vice versa*, are to be executed the same as if mentioned in the specification and set forth in the drawings, to the true intentions of the said drawings and specifications without any extra charge whatever. The figured measurements to be taken in preference to scale measurements. This clause applies and is in force to all employed on said work.

#### DESCRIPTION OF FRAME.

Sills 4x8 in. hemlock.

Girders under first story beams 6x8 in. hemlock.

Girts 4x6 in. hemlock.

Plates 4x6 in. hemlock.

Eight posts 4x10 in. on sides.

Four posts 4x6 in. on ends directly over girders.

Girders under second story beams 6x8 in. yellow pine.

Posts from girder to girder 6x6 in. yellow pine.

Posts and girders to be all champered and dressed.

Floor beams first story 2x10 in. and 12 feet centre hemlock.

Floor beams second story 2x10 in. and 16 feet centre hemlock.

Rafters 2x8 in. and 2 feet centre hemlock.

Exterior door and window studding 3x4 in. hemlock.

Braces 3x4 in. hemlock.

Partition studding second story living rooms 2x4 in. hemlock.

Floor beams third story 2x8 in. and 16 feet centres.

First floor to be laid with yellow pine vertical grained  $1\frac{1}{4}$ x4 in.

Second story to be laid with yellow pine, or first quality white pine-vertical grained 7-8x4 in.

Ceilings on first and second stories to be  $\frac{1}{2}$ x4 in., North Carolina pine, dressed and beaded one side.

Ceilings on first and second stories sides 1x4 in., dressed and beaded one side.

Ceilings on partition second story sides 5-8x4 in. dressed and beaded one side North Carolina pine.

Two flights of boxed stairs to run from first to second story to be constructed according to the plans of yellow pine entirely.

Entire exterior of building, not including roof, to be sheathed with good quality of hemlock sheathing, not less than  $\frac{3}{4}$  in. thick, and thickness put on diagonally and well nailed on each stud, the sheathing to be covered with best quality telting paper, this to be covered with white Michigan pine rabbited  $\frac{3}{4}$  in. thick siding best quality not to show over  $4\frac{1}{2}$  in. to weather, shingling lath to be  $1\frac{1}{4}$  in. thick,  $2\frac{1}{2}$  in. wide and of hemlock. The roof to be covered with shingles to be



selected by the President, laid not to exceed  $5\frac{1}{2}$  in. and so as to break all joints. All window and door frames to be made of good merchantable white pine, also the corner boards and water table and cornices to be made of same.

Two air-shafts from ceiling of first story  $8 \times 12$  ft. each to be over floor of third story, and to connect with cupola on ridge of roof. Gutters on roof to be formed true and straight to receive tin lining to points indicated for leaders.

Two of the outside doors to have hood of 6 in. in width, and to project 3 in. built over them to protect from storms.

Outside doors 3 ft. 6 in. by 8 ft.,  $1\frac{3}{4}$  thick. Four panels double faced

Interior doors 2 ft. 8 in. by 6 ft. 8 in.,  $1\frac{1}{2}$  in. thick. Four panels double faced.

Sash  $1\frac{1}{2}$  in. thick double hung with C. I. weights and best hemp sash cord, sash locks and fastenings of most approved pattern as the President may select on each window.

The glass in all windows to be of first quality, extra heavy, and the windows to be glazed in a first class manner.

Outside doors to have 5 in. double tumblers Mortise locks with two keys each. All interior doors to have 4 in. City Mortise locks with two keys each. Knobs on all doors to be either apple or oak wood, and every door, where necessary, to have suitable wooden door stops with rubber tips. All outside doors to be hung  $4 \times 4$ , bronze loose pin butts, two butts to each door. All inside doors to be hung  $3 \times 3$  bronze iron butts. All windows to have outside rolling slat blinds  $1\frac{1}{2}$  in. thick.

All windows on first story to be  $2 \times 10$ . Height of first story to be 11 ft. in the clear.

Windows in second story to be 2 ft. 10 in. by 5 ft. 6 in. Height of second story 8 ft. 6 in. in the clear.

## MASON WORK.

Size of building 36 feet by 56 feet. Foundation of good solid stone 3 feet deep by 1 foot, 6 inches thick, showing 8 inches finish on outside, and leaving ten spaces in foundation 12 inches deep by 24 inches wide for ventilation, with bluestone sills. Sixteen piers for first story girders to rest upon to be 2 feet 4 inches by 3 feet, all to be laid up in good, rich mortar, good lime and sharp, clean sand.

Two chimneys, 2 feet 4 inches by 1 foot 4 inches of best hard brick and mortar, with good prepared foundations, 34 feet high from foundations. Two flues in each chimney, 8 inches by 8 inches; chimneys to be capped with heavy bluestone. All brick used in the chimneys exposed to inside view in first and second stories, to be of Philadelphia or first-class glazed brick, and to be pointed with the best quality cement for durability and appearance in finish.

## TINNING.

Use best quality of charcoal single (x) cross tin of Mellin's brand.

Tin the gutters properly, and as shown on detail drawings; put up all necessary tin leader as required by the drawings, and extend them to the ground.

All leaders to be 4 inches in diameter. Tin all usual places required to be tinned to make the building watertight, whether specified or not. Do all the necessary flashings that may be required. Flash around the chimneys in a good and secure manner with sheet lead of one-eighth inch in thickness, and turn the lead into the mortar joints of the brick work and cement same in place. All tin flashings gutter linings, window caps to have two good coats of Prince's matallic paint; also leaders. Place proper cant boards to the chimneys.

## PAINTING.

Provide all materials and perform all labor for the full and proper painting of the building. Cover all sap and knots, all pitch and gum on outside of the building with one good coat of shellac before applying the priming coat.

(All nail heads in the work, both inside and outside of the building, will be set in by the joiner).

Putty up the woodwork inside and outside smoothly. After it shall have been primed, all exterior woodwork will be painted two good coats of Atlantic best white lead and pure linseed oil with proper proportions of turpentine in such tints as may be directed by the President or his representative. All interior woodwork throughout the building to finish with two coats of hard oil.

All of the painter's work to be done in the best manner possible, and leave the whole in a good workmanlike and finished condition at completion.

The payments of the contract will be made as follows :

Twenty-five per cent. when framed.

Twenty-five per cent. when enclosed and floored.

Twenty-five per cent. when windows, doors and all inside ceilings are completed.

Twenty-five per cent. when completed agreeable to plans and specifications.

The cupola to be constructed of the best materials and in a workmanlike manner according to plans.





# ANNUAL REPORT OF THE SOCIETY

FOR THE

## Protection of Catholic Children

AT THE

CITY OF BUFFALO, N. Y.

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TRANSMITTED TO THE LEGISLATURE FEBRUARY 4, 1896.

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WYNKOOP HALLENBECK CRAWFORD CO.,

STATE PRINTERS,

ALBANY AND NEW YORK.

1896.





# STATE OF NEW YORK.

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No. 49.

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## IN ASSEMBLY,

FEBRUARY 4, 1896.

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### ANNUAL REPORT

OF THE

SOCIETY FOR THE PROTECTION OF CATHOLIC  
CHILDREN AT THE CITY OF BUFFALO, N. Y.

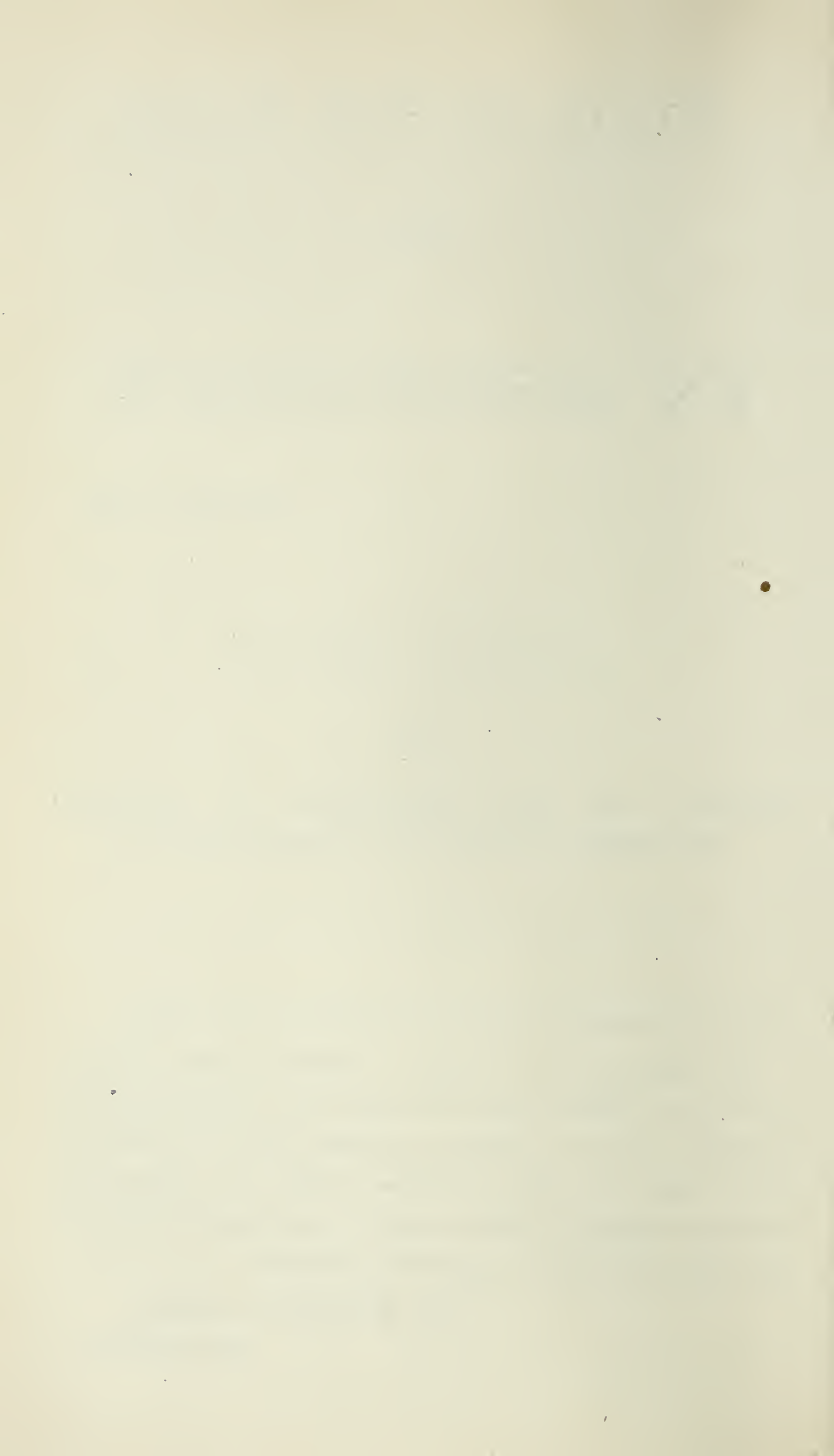
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*To the Honorable the Legislature of the State of New York:*

The Society for the Protection of Destitute Catholic Children at the city of Buffalo respectfully submits the following condensed statement of the net receipts and expenses, assets and liabilities, for the fiscal year ending September 30, 1895; also statement of names and number of children received and dismissed during the same time, all of which is respectfully submitted.

REV. NELSON H. BAKER,

*Superintendent.*



# REPORT.

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## REPORT OF BOYS.

Number in institution October 1, 1894 .....	245
Number received during the year.....	273
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Total .....	518

### DISMISSED.

By adoption .....	20
Returned to parents and friends.....	182
Escaped .....	6
Sent out of the State .....	12
Died.....	1
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Total .....	221

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Number remaining in institution September 30, 1895, 297

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## NET RECEIPTS AND EXPENSES.

### NET RECEIPTS.

From bequests, donations and receipts from Association of Our Lady of Victory .....	\$34,015 30
From counties committing children....	11,033 90
From board of boys.....	1,401 27
From orphan fund.....	1,024 21



From sales in chair factory.....	\$3,092 32
From sales in electrotpe foundry.....	1,342 64
From shoe shop.....	1,393 00
From gas well.....	1,323 99
From board of men.....	1,870 46
From rent of cottages.....	353 48
From weigh scale and other sundries...	1,085 13

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Total receipts.....	\$57,935 70
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## EXPENSES.

Provisions, clothing and supplies.....	\$19,337 50
Salary of teachers in trade schools and factory .....	2,414 49
Salary of teachers in printing office and foundry .....	1,505 01
Salary of sundry teachers .....	295 17
Shoe shop .....	1,174 72
General expenses.....	1,642 44
Interest .....	629 60
House furniture and bedding.....	4,318 60
House fixtures and repairs.....	927 81
Chapel furniture and expenses.....	872 63
Gas well.....	523 87
Cottages repaired .....	128 42
Postage, stationery and other sundries..	809 64

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Total expenses.....	34,579 90
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Balance .....	\$23,355 80
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To be applied on new building.

## ASSETS AND LIABILITIES.

## ASSETS.

Real estate in last report .....	\$83,592 71
Paid balance on new building .....	13,000 00
	<hr/>
	\$96,592 71
	<hr/> <hr/>
Total value of real estate and buildings,	\$96,592 71
Paid on new gymnasium.....	7,234 31
Cottages and dwellings.....	2,893 27
Open ledger accounts.....	25,692 83
House furniture.....	18,053 30
St. Joseph's Asylum indebtedness....	4,379 50
Temporary loans.....	1,538 64
Gas well.....	6,000 00
Unmatured notes .....	546 67
Machinery in trade school factory....	8,775 58
Machinery in trade school foundry....	2,181 23
Machinery in tradeschool printing office	3,283 20
Machinery in shoe shop.....	529 00
Stock remaining in chair factory, per inventory .....	3,838 06
Stock remaining in foundry, per inven- tory.....	5,219 27
Stock of farm implements.....	2,212 50
Cash in banks .....	12,984 91
Cash on hand.....	717 15
	<hr/>
Total assets .....	\$202,672 13

## LIABILITIES.

Mortgage (Western Savings Bank)....	\$10,000 00
Open ledger accounts.....	16,029 66
Unmatured notes .....	1,128 56
	<hr/>
Total liabilities .....	\$27,158 22
	<hr/>
Balance in favor of assets .....	\$175,513 91
	<hr/> <hr/>



NAME.	Age.	When received.	When dismissed.	Residence.	Health.
		1894.	1895.		
Joseph Schneider .....	10	Oct. 1	.....	Providence, R. I. ....	Good
John Bushe .....	11	3	.....	Erie, Pa. ....	"
Francis McHugh .....	14	4	July 18	Grand Rapids, Mich..	"
Vincent Farrell .....	13	4	Jan. 18	Buffalo. ....	"
George Ryan .....	14	9	10	Erie, Pa. ....	"
Anthony Kanewiski .....	12	9	.....	Buffalo .....	"
Mauro Paglio .....	9	13	.....	" .....	"
George Boyd .....	12	12	April 29	" .....	"
Frank Wass .....	14	15	July 12	" .....	"
Frank Paulak .....	14	15	Jan. 27	" .....	"
Frank Zbocyniak .....	14	15	27	" .....	"
Frank Paufel .....	13	15	July 11	" .....	"
Stanislaus Lawelzak .....	12	15	May 10	" .....	"
Arthur Mayor .....	13	18	Jan. 19	" .....	"
Jacob Vogel .....	14	18	April 11	" .....	"
James Torpy .....	9	20	.....	Bath .....	"
John Torpy .....	6	20	.....	" .....	"
Wm. John McGill .....	13	23	.....	Auburn .....	"
Cornelius Keiley .....	11	24	.....	Rochester .....	"
Thomas Kelly .....	13	25	June 30	" .....	"
Stephen Jones .....	12	Nov. 1	.....	Pittsburg, Pa. ....	"
George Donnell .....	8	1	.....	Saginaw, Mich. ....	"
Thomas McGrath .....	13	3	July 2	Cleveland, O. ....	"
Eugene Filan .....	13	3	.....	Rochester .....	"
Joseph Fritsch .....	14	3	Sept. 3	" .....	"
Stephen Subeski .....	13	5	Jan. 27	Buffalo .....	"
Jacob Zarski .....	13	5	July 12	" .....	"
Charles Clark .....	13	13	Aug. 13	Auburn .....	"
John Kryzinski .....	10	13	.....	Buffalo .....	"
Stephen Ziska .....	9	15	.....	Boonville, Pa. ....	"
John Ziska .....	7	15	.....	" .....	"
Peter La Retta .....	12	12	.....	Buffalo .....	"
William Ralph .....	10	15	April 10	" .....	"
Frank Fleming .....	11	20	.....	Centerville, Pa. ....	"
Timothy McElliot .....	12	13	.....	Clyde .....	"
Frank Bridges .....	11	22	.....	Niagara Falls .....	"
Daniel Bridges .....	10	22	.....	" .....	"
James Conway .....	10	25	.....	Erie, Pa. ....	"
Henry McLoughlin .....	14	27	.....	Rochester .....	"
Frank Meyers .....	13	27	Sept. 12	Buffalo .....	"
Frank O'Meal .....	11	Nov. 29	.....	Cleveland, O. ....	"
George Bradley .....	14	30	Feb. 13	" .....	"
Charles Zimmerman .....	14	27	.....	Rochester .....	"
Henry Sobiswski .....	14	Dec. 1	Feb. 23	Cleveland, O. ....	"
Joseph Smith .....	8	7	.....	" .....	"
Joseph Tolotski .....	11	7	July 12	Buffalo .....	"
Stephen Debutski .....	11	7	12	" .....	"
Michael Cinski .....	14	7	May 16	" .....	"
Thomas Olenichak .....	17	10	Jan. 27	" .....	"
Joseph Stephan .....	12	10	.....	Rochester .....	"
Hiram Whittier .....	13	10	.....	Buffalo .....	"
Cornelius Kalaher .....	8	10	.....	" .....	"
Joseph Kenny .....	15	15	.....	Rochester .....	"
John Kenny .....	12	15	.....	" .....	"
Thomas Coughlin .....	13	15	.....	.....	"
Andrew Richley .....	10	20	.....	Bennington .....	"
Frank Bisnett .....	10	17	.....	Rochester .....	"
Joseph Metcalf .....	12	20	April 13	Batavia .....	"

NAME.	Age.	When received.	When dismissed.	Residence.	Health.
		1894.	1895.		
Leo Brazenski .....	13	Dec. 21	April 11	Buffalo .....	Good
William Denner .....	13	21	10	" .....	"
Grover Durein .....	12	18	.....	Hamilton .....	"
Stanislaus Pawlak .....	16	31	Jan. 27	Buffalo .....	"
Paul Olzasky .....	15	31	July 16	" .....	"
Eugene Rebadow .....	13	31	Aug. 31	" .....	"
		1895.			
Nelson Flanagan .....	14	Jan. 4	31	Buffalo .....	"
Charles Miller .....	13	7	.....	" .....	"
John Moran .....	9	9	.....	" .....	"
William Williams .....	13	9	.....	" .....	"
Dennis Kane .....	14	11	.....	Rochester .....	"
Jacob Stein .....	15	11	April 17	Reading .....	"
John McNamara .....	13	11	.....	Buffalo .....	"
Timothy McNamara .....	11	11	.....	" .....	"
Wadislaus Ornowski .....	17	12	July 15	" .....	"
Joseph Dwaracyzk .....	13	12	13	" .....	"
William Commerford .....	13	16	.....	Syracuse .....	"
John Murray .....	10	16	.....	Rochester .....	"
Joseph Fisher .....	8	16	Feb. 18	Buffalo .....	"
William Donovan .....	10	18	.....	" .....	"
Peter Waultchak .....	13	21	July 11	" .....	"
Frank Widorack .....	11	21	12	" .....	"
Charles Collins .....	11	18	.....	Rochester .....	"
John Coan .....	15	25	June 28	Chicago, Ill. ....	"
Lary Frieheld .....	16	31	July 12	Buffalo .....	"
Henry Buinchs .....	14	31	April 11	" .....	"
Frank Kubu .....	12	31	.....	" .....	"
John Curtin .....	13	Feb. 2	.....	" .....	"
Thomas George .....	14	15	April 11	" .....	"
William Vischugski .....	14	11	11	" .....	"
Frank Batz .....	11	2	.....	Rochester .....	"
Philip Beyers .....	13	18	Aug. 4	Buffalo .....	"
Max Ornowski .....	10	16	July 15	" .....	"
John Beyer .....	14	18	April 11	" .....	"
Michael Welsch .....	14	4	.....	Syracuse .....	"
George Magee .....	14	20	Aug. 17	" .....	"
Dennis Conley .....	14	28	July 21	Buffalo .....	"
William Kinwold .....	13	25	15	" .....	"
James McGrath .....	13	Jan. 4	.....	Cleveland, O. ....	"
Joseph Siskolski .....	14	Mar. 7	15	Buffalo .....	"
Lawrence Guswolski .....	14	7	16	" .....	"
Glenn Wilson .....	11	Feb. 6	Sept. 2	Rochester .....	"
Frank Paulak .....	14	Mch. 12	July 12	Buffalo .....	"
George Novatechak .....	15	13	13	" .....	"
William Novatechak .....	14	13	13	" .....	"
Dennis Hughes .....	15	15	Aug. 25	Chicago, Ill. ....	"
Thomas O'Brian .....	13	18	July 30	Buffalo .....	"
Henry Keppler .....	15	18	April 10	" .....	"
August Picchette .....	12	19	Aug. 13	" .....	"
Joseph Shallenberger .....	13	28	June 24	Rochester .....	"
George Shallenberger .....	..	28	24	" .....	"
Ernest Shallenberger .....	..	28	24	" .....	"
Jesse Shallenberger .....	..	28	24	" .....	"
Thomas Sheehy .....	12	19	July 13	Buffalo .....	"
Roger Sheehy .....	13	19	13	" .....	"
James Bennett .....	14	19	13	" .....	"
Anthony Selurh .....	14	19	.....	" .....	"
Frank Dubka .....	14	22	12	" .....	"



NAME.	Age.	When received.	When dismissed.	Residence.	Health.
		1895.	1895.		
Abijah Colburn.....	8	Mch. 27	.....	Rochester .....	Good
Joseph Moos.....	15	29	.....	Buffalo.....	"
Michael Cleber.....	15	Apr. 9	Aug. 31	Bradford, Pa.....	"
Louis Nold.....	9	13	.....	Rochester .....	Poor
William Sorrentino.....	10	16	.....	Syracuse .....	Good
Sylvester Janeska.....	14	18	24	Buffalo.....	"
James Bantz.....	10	22	.....	" .....	"
Joseph Richter.....	12	25	July 12	" .....	"
William Gosseps .....	12	25	.....	" .....	"
Patrick Lynch .....	14	24	.....	Elmira.....	"
Byron Watkins .....	15	30	.....	Rochester .....	"
George Beemer.....	8	30	.....	Albion .....	"
Thomas Wright .....	15	13	.....	Auburn .....	"
Henry Wilson.....	13	May 3	.....	Buffalo.....	"
John O'Kouski .....	14	3	Sept. 12	" .....	"
Michael McCullin .....	14	3	.....	Syracuse .....	"
Valentine Lang .....	10	3	.....	Buffalo.....	"
John Lang.....	12	3	.....	" .....	"
Michael Crawford .....	14	3	Aug. 27	Dubois, Pa. ....	"
Edward Wilson .....	14	11	Sept. 21	Buffalo.....	"
Joseph Schillinger .....	13	13	July 13	" .....	"
John Klein .....	11	13	11	" .....	"
Hardis Kellerman .....	10	13	11	" .....	"
John Finnerty.....	12	16	May 21	Canandaigua .....	"
Albert Walter.....	10	22	.....	Buffalo.....	"
Valentine Cole.....	12	30	.....	North Collins.....	"
Daniel King.....	11	30	Sept. 2	Buffalo.....	"
William Burke.....	11	30	.....	Cleveland .....	"
Edward Burke .....	13	30	.....	" .....	"
James Ryan.....	11	31	June 16	Niagara Falls .....	"
James Welsh.....	9	June 16	.....	Syracuse.....	"
Charles Sullivan.....	12	14	.....	Binghamton.....	"
Annie Connors .....	13	14	June 15	" .....	"
John Danahey.....	8	10	Sept. 3	Buffalo.....	"
John Barry .....	12	17	July 27	" .....	"
John Collins .....	13	12	17	Rochester .....	"
Philip Forrest .....	14	20	23	" .....	"
Clarence McGinnis .....	10	22	.....	Wilkesbarre, Pa.....	"
Samuel Dempsey.....	12	28	.....	Syracuse .....	"
Frank Vira.....	10	27	.....	Buffalo.....	"
Lewis Vanilla .....	9	8	.....	" .....	"
Stanislaus Mowetski ...	9	July 15	.....	" .....	"
Oscar Pratt.....	13	16	.....	Buffalo.....	Poor
Wilbert Pratt.....	11	16	.....	" .....	Good
John Finnerty .....	12	16	.....	" .....	"
Samuel Coutts .....	13	15	.....	" .....	"
Joseph Farrell .....	13	20	.....	" .....	"
John Farrell.....	12	20	.....	" .....	"
John Meers .....	15	19	.....	" .....	"
William Garvey.....	11	20	.....	Boston .....	"
A. Garvey.....	13	20	.....	" .....	"
William Hally .....	14	19	.....	Elmira .....	"
Thomas Hally.....	14	19	.....	" .....	"
Wyman Jenison.....	14	20	Aug. 9	Tonawanda .....	"
August Werner .....	10	24	.....	Syracuse .....	"
John Toletski.....	14	20	.....	Buffalo.....	"
Henry Walkerly.....	14	24	4	" .....	"
Frank Geirnell.....	10	25	.....	" .....	"
Robert Collie .....	15	26	.....	" .....	"



NAME.	Age.	When received.	When dismissed.	Residence.	Health.
		1895.	1895.		
Edward Finn .....	15	July 26	.....	Buffalo .....	Good
John Sayles .....	15	26	.....	" .....	"
George Ryan .....	12	26	.....	" .....	"
Edward Bautz .....	11	27	.....	" .....	"
William Fitzpatrick .....	8	29	.....	" .....	"
Richard Whalen .....	13	31	Sept. 25	Boston .....	"
Martin Bueller .....	14	Aug. 1	.....	Buffalo .....	"
Frank Moran .....	10	July 25	.....	" .....	"
Frank Horoszauski .....	15	Aug. 3	.....	" .....	"
Max Ornonski .....	10	3	.....	" .....	"
Stephen Wisanowski .....	15	3	.....	" .....	"
Joseph Grant .....	12	July 26	.....	" .....	"
Frank Nizarack .....	13	Aug. 5	.....	" .....	"
Albert Grabianouski .....	13	5	.....	" .....	"
John Schaefer .....	15	6	.....	" .....	"
Hugh Butler .....	14	8	.....	Edenburg .....	"
Joseph Linsey .....	6	8	.....	Loudonville .....	"
John Broderick .....	8	13	.....	Syracuse .....	"
Walter McEntee .....	7	17	Sept. 21	Toronto .....	"
William Kirwold .....	13	7	.....	Buffalo .....	"
Frank Saline .....	14	14	.....	Syracuse .....	"
Thomas Brosinal .....	12	20	.....	Elmira .....	"
Alfred Deschaump .....	12	31	.....	Ogdensburg .....	Poor
George Lichtengel .....	13	31	.....	Buffalo .....	Good
William Hayes .....	13	Sept. 2	.....	Cleveland .....	"
Leo Sarrah .....	13	2	.....	Buffalo .....	"
James Naples .....	7	4	.....	" .....	"
John Doberstein .....	15	5	.....	" .....	"
William Sheehan .....	15	4	.....	Boston .....	"
James O'Brien .....	15	5	.....	" .....	"
John Doberstein .....	15	5	.....	Buffalo .....	"
Charles Kinney .....	11	9	.....	Bath .....	"
Charles Miller .....	14	6	.....	Akron, O. ....	"
Charles Stevens .....	11	11	.....	Buffalo .....	"
Charles Bagau .....	7	11	.....	" .....	"
Stephen Wisanoinski .....	15	Aug. 3	.....	" .....	"
Peter McNeal .....	10	30	.....	" .....	"
Anthony Mavelski .....	15	Sept. 16	.....	" .....	"
John Foley .....	12	16	.....	" .....	"
Joseph Baker .....	13	16	.....	" .....	"
Frank Noonan .....	14	16	.....	Cleveland .....	"
Dennis Hughes .....	15	15	.....	Chicago .....	"
Selastian Greozzo .....	13	18	.....	Buffalo .....	"
Dominic Pasqalee .....	15	18	.....	" .....	"
Antonio Grallella .....	15	18	.....	" .....	"
Thomas Kennedy .....	15	20	.....	" .....	"
John Okpesz .....	15	16	.....	" .....	"
William Lee .....	8	21	.....	" .....	"
Patrick Hughes .....	12	22	.....	" .....	"
Elmer Roberts .....	11	23	.....	" .....	"
Anthony Frank .....	13	26	.....	" .....	"
Maurice Kean .....	14	29	.....	" .....	"
Daniel Kean .....	13	29	.....	" .....	"
Cornelius Loftus .....	11	27	.....	" .....	"

NAME.	Religion.	Parents, living or dead.	Committed, intrusted, transferred.	Absconded.	Remains.
Joseph Schneider.....	Catholic.	Dead .....	Intrusted ..	.....	Remains
John Bushe.....	"	Father dead.	" ..	.....	"
Francis McHugh .....	"	Living .....	" ..	.....	.....
Vincent Farrell.....	"	" .....	Committed	.....	.....
George Ryan.....	"	" .....	Intrusted..	.....	.....
Anthony Kanewiski...	"	" .....	Committed	.....	Remains
Mauro Paglio.....	"	" .....	Intrusted..	.....	"
George Boyd .....	"	" .....	Committed	.....	.....
Frank Wass.....	"	" .....	" ..	.....	Remains
Frank Paulak.....	"	" .....	" ..	.....	.....
Frank Zbocyniak .....	"	" .....	" ..	.....	.....
Frank Paufel.....	"	" .....	" ..	.....	.....
Stainslaus Lawelzak..	"	" .....	" ..	.....	.....
Arthur Mayor.....	"	" .....	Intrusted..	.....	.....
Jacob Vogel.....	"	" .....	Committed	.....	.....
James Torpy.....	"	Dead .....	" ..	.....	Remains
John Torpy.....	"	" .....	" ..	.....	"
Wm. John McGill.....	"	Living.....	" ..	.....	"
Cornelius Keiley.....	"	Mother liv'g.	" ..	.....	"
Thomas Kelly.....	"	Father liv'g.	" ..	.....	.....
Stephen Jones.....	"	Father dead.	Intrusted..	.....	Remains
George Donnell.....	"	Living .....	" ..	.....	"
Thomas McGrath .....	"	" .....	" ..	.....	.....
Eugene Filan .....	"	" .....	Committed	.....	Remains
Joseph Fritsch .....	"	" .....	" ..	.....	.....
Stephen Subeski .....	"	" .....	" ..	.....	.....
Jacob Zarski.....	"	" .....	" ..	.....	.....
Charles Clark .....	"	Father dead.	Intrusted..	.....	.....
John Kryzinski.....	"	Living .....	Committed	.....	Remains
Stephen Ziska.....	"	" .....	Intrusted..	.....	"
John Ziska.....	"	" .....	" ..	.....	"
Peter La Retta .....	"	" .....	Committed	.....	.....
William Ralph .....	"	" .....	" ..	.....	Remains
Frank Fleming.....	"	Mother liv'g.	Intrusted..	.....	"
Timothy McElliott ..	"	Living .....	" ..	.....	"
Frank Bridges.....	"	Dead .....	Committed	.....	"
Daniel Bridges.....	"	" .....	" ..	.....	"
James Conway .....	"	Living .....	Intrusted..	.....	"
Henry McLoughlin...	"	" .....	Committed	.....	"
Frank Meyers .....	"	" .....	" ..	.....	.....
Frank O'Meal.....	"	Mother dead.	Intrusted.	.....	Remains
George Bradley.....	"	Father dead.	" ..	.....	.....
Charles Zimmerman..	"	Mother dead.	Committed	.....	Remains
Henry Sobiswski. ....	"	" .....	Intrusted .	.....	"
Joseph Smith.....	"	" .....	" ..	.....	"
Joseph Tolotski.....	"	Living .....	Committed	.....	"
Stephen Debutski .....	"	" .....	" ..	.....	.....
Michael Cinski .....	"	" .....	" ..	.....	.....
Thomas Olenichak.....	"	" .....	" ..	.....	.....
Joseph Stephan .....	"	Father dead.	" ..	.....	Remains
Hiram Whittier .....	"	Mother dead.	" ..	.....	"
Cornelius Kalaher .....	"	Living .....	Intrusted .	.....	"
Joseph Kenny.....	"	" .....	Committed	.....	"
John Kenny.....	"	" .....	" ..	.....	"
Thomas Coughlin.....	"	.....	.....	.....	.....
Andrew Richley.....	"	Living .....	Intrusted .	.....	Remains
Frank Bisnett.....	"	" .....	Committed	.....	"
Joseph Metcalf .....	"	" .....	" ..	.....	.....
Leo Brazenski. ....	"	" .....	" ..	.....	.....
William Denner .....	"	" .....	" ..	.....	.....

NAME.	Religion.	Parents, living or dead.	Committed, intrusted, transferred.	Absconded.	Remains.
Crover Durein.....	Catholic.	Living .....	Committed	.....	Remains
Stanislaus Pawlak....	" ..	" .....	" ..	.....	.....
Paul Olzasky.....	" ..	" .....	" ..	.....	.....
Eugene Rebadow.....	" ..	" .....	" ..	.....	.....
Nelson Flanagan.....	" ..	" .....	" ..	.....	.....
Charles Miller.....	" ..	" .....	" ..	.....	Remains
John Moran.....	" ..	" .....	" ..	.....	"
William Williams .....	" ..	" .....	" ..	.....	"
Dennis Kane .....	" ..	" .....	" ..	.....	"
Jacoo Stein .....	" ..	" .....	" ..	.....	"
John McNamara.....	" ..	" .....	Intrusted..	.....	"
Timothy McNamara....	" ..	" .....	" ..	.....	"
Wadislans Ornowski..	" ..	" .....	Committed	.....	.....
Joseph Dwaracyzk....	" ..	" .....	" ..	.....	.....
William Commerford..	" ..	" .....	" ..	.....	Remains
John Murray.....	" ..	" .....	" ..	.....	"
Joseph Fisher.....	" ..	" .....	Intrusted..	.....	.....
William Donovan .....	" ..	" .....	" ..	.....	Remains
Peter Waultchak.....	" ..	" .....	Committed	.....	.....
Frank Widorack.....	" ..	" .....	" ..	.....	.....
Charles Collins.....	" ..	" .....	" ..	.....	Remains
John Coan .....	" ..	" .....	Intrusted..	.....	.....
Lary Frieheld .....	" ..	" .....	" ..	.....	.....
Henry Buinchs .....	" ..	" .....	Committed	.....	.....
Frank Kubu.....	" ..	" .....	" ..	.....	.....
John Curtin.....	" ..	" .....	Intrusted..	.....	Remains
Thomas George.....	" ..	" .....	Committed	.....	.....
William Vischugski ..	" ..	" .....	" ..	.....	.....
Frank Batz.....	" ..	" .....	" ..	.....	Remains
Philip Beyers.....	" ..	" .....	" ..	.....	.....
Max Ornowski.....	" ..	" .....	" ..	.....	.....
John Beyer.....	" ..	" .....	" ..	.....	.....
Michael Welsch .....	" ..	" .....	" ..	.....	.....
George Magee .....	" ..	" .....	" ..	.....	.....
Dennis Conley.....	" ..	" .....	" ..	.....	.....
William Kinwold.....	" ..	" .....	" ..	.....	.....
James McGrath.....	" ..	Dead.....	Intrusted..	.....	Remains
Joseph Siskolski.....	" ..	Living .....	Committed	.....	.....
Lawrence Guswolski..	" ..	" .....	" ..	.....	.....
Glenn Wilson .....	Non-Cath	" .....	" ..	.....	.....
Frank Paulak.....	Catholic..	" .....	" ..	.....	.....
George Novatechak....	" ..	" .....	" ..	.....	.....
William Novatechak..	" ..	" .....	" ..	.....	.....
Dennis Hughes.....	" ..	Mother dead.	Intrusted..	.....	.....
Thomas O'Brien .....	" ..	Father dead.	Committed	.....	.....
Henry Keppler.....	" ..	Living .....	" ..	.....	.....
August Picchette.....	" ..	" .....	" ..	.....	.....
Joseph Shallenberger.	Non-Cath	Mother dead.	" ..	.....	.....
George Shallenberger.	" ..	" .....	" ..	.....	.....
Ernest Shallenberger.	" ..	" .....	" ..	.....	.....
Jesse Shallenberger..	" ..	" .....	" ..	.....	.....
Thomas Sheehey.....	Catholic..	Living .....	" ..	.....	.....
Boger Sheehey.....	" ..	" .....	" ..	.....	.....
James Bennett.....	" ..	" .....	" ..	.....	.....
Anthony Selurh.....	" ..	" .....	" ..	.....	.....
Frank Dubka.....	" ..	" .....	" ..	.....	.....
Abijah Colburn.....	Non-Cath	Father dead.	Intrusted..	.....	Remains
Joseph Moos .....	Catholic.	Living .....	Committed	.....	"
Michael Cleber .....	" ..	" .....	" ..	.....	.....
Louis Nold.....	Non Cath	" .....	" ..	.....	Remains



NAME.	Religion.	Parents, living or dead.	Committed, intrusted, transferred.	Absconded.	Remains.
William Sorrentino...	Catholic.	Living .....	Committed	.....	Remains
Sylvester Janeska .....	" ..	" .....	" ..	.....	.....
James Bantz .....	" ..	" .....	Intrusted..	.....	Remains
Joseph Richter .....	" ..	" .....	Committed	.....	.....
William Gosseps .....	" ..	" .....	" ..	.....	Remains
Patrick Lynch .....	" ..	" .....	" ..	.....	"
Byron Watkins .....	Non-Cath	Dead .....	" ..	.....	"
George Beemer .....	" ..	Living .....	" ..	.....	"
Thomas Wright .....	Catholic.	" .....	" ..	.....	"
Henry Wilson .....	" ..	Father dead.	" ..	.....	"
John O'Kouski .....	" ..	Mother dead.	" ..	.....	.....
Michael McCullin .....	" ..	Living .....	" ..	.....	Remains
Valentine Lang .....	" ..	Father dead.	" ..	.....	"
John Lang .....	" ..	" .....	" ..	.....	"
Michael Crawford .....	" ..	Living .....	Intrusted..	.....	.....
Edward Wilson .....	Non-Cath	" .....	Committed	.....	.....
Joseph Schillinger .....	Catholic.	" .....	" ..	.....	.....
John Klein .....	" ..	" .....	" ..	.....	.....
Hardis Kellerman .....	" ..	" .....	" ..	.....	.....
John Finnerty .....	" ..	" .....	Intrusted ..	.....	.....
Albert Walter .....	" ..	" .....	" ..	.....	.....
Valentine Cole .....	Non-Cath	Father dead.	" ..	.....	Remains
Daniel King .....	Catholic.	Living .....	" ..	.....	.....
William Burke .....	" ..	Father dead.	" ..	.....	Remains
Edward Burke .....	" ..	" .....	" ..	.....	"
James Ryan .....	" ..	Living. ....	" ..	.....	.....
James Welsh .....	" ..	" .....	Committed	.....	Remains
Charles Sullivan .....	" ..	" .....	" ..	.....	"
Annie Connors .....	" ..	" .....	" ..	.....	.....
John Danahey .....	" ..	" .....	Intrusted ..	.....	.....
John Barry .....	" ..	" .....	" ..	.....	.....
John Collins .....	" ..	" .....	Committed	.....	.....
Philip Forrest .....	" ..	" .....	Intrusted ..	.....	.....
Clarence McGinnis .....	" ..	" .....	" ..	.....	.....
Samuel Dempsey .....	" ..	" .....	Committed	.....	Remains
Frank Vira .....	" ..	" .....	" ..	.....	"
Lewis Vanilla .....	" ..	" .....	Intrusted ..	.....	"
Stanislaus Mowetzki ..	" ..	" .....	" ..	.....	"
Oscar Pratt .....	Non-Cath	Mother dead.	Committed	.....	"
Wilbert Pratt .....	" ..	" .....	" ..	.....	"
John Finnerty .....	Catholic.	Living .....	" ..	.....	"
Samuel Coutts .....	" ..	" .....	" ..	.....	"
Joseph Farrell .....	" ..	" .....	Intrusted ..	.....	"
John Farrell .....	" ..	" .....	" ..	.....	"
John Meers .....	" ..	" .....	" ..	.....	"
William Garvey .....	" ..	Dead .....	" ..	.....	"
A. Garvey .....	" ..	" .....	" ..	.....	"
William Hally .....	" ..	Mother dead.	Committed	.....	"
Thomas Hally .....	" ..	" .....	" ..	.....	"
Wyman Jenison .....	" ..	Living .....	" ..	.....	.....
August Werner .....	" ..	" .....	" ..	.....	Remains
John Toletski .....	" ..	" .....	" ..	.....	"
Henry Walkerly .....	" ..	" .....	" ..	.....	.....
Frank Geirnell .....	" ..	" .....	Intrusted ..	.....	Remains
Robert Collie .....	" ..	Mother dead.	Committed	.....	"
Edward Finn .....	" ..	Living .....	" ..	.....	"
John Sayles .....	" ..	" .....	" ..	.....	"
George Ryan .....	" ..	" .....	" ..	.....	"
Edward Bautz .....	" ..	" .....	Intrusted ..	.....	"
William Fitzpatrick ..	" ..	Father dead.	" ..	.....	"

NAME.	Religion.	Parents, living or dead.	Committed, intrusted, transferred.	Absconded.	Remains.
Richard Whalen.....	Catholic.	Dead.....	Intrusted .	.....	.....
Martin Bueller.....	"	Living .....	Committed	.....	Remains
Frank Moran.....	"	" .....	Intrusted .	.....	"
Frank Horoszauski...	"	" .....	Committed	.....	"
Max Ornouski.....	"	" .....	" .....	.....	"
Stephen Wisanowski .	"	" .....	" .....	.....	"
Joseph Grant.....	"	" .....	Intrusted .	.....	"
Frank Nizarack.....	"	" .....	Committed	.....	.....
Albert Grabianouski..	"	" .....	" .....	.....	Remains
John Schaefer.....	"	" .....	" .....	.....	"
Hugh Butler.....	"	" .....	Intrusted .	.....	"
Joseph Linsey.....	"	" .....	" .....	.....	.....
John Broderick.....	"	" .....	Committed	.....	.....
Walter McEntee.....	"	Dead .....	Intrusted .	.....	.....
William Kirwold .....	"	" .....	Committed	.....	Remains
Frank Saline.....	"	" .....	" .....	.....	"
Thomas Brosinal.....	"	Father dead.	Intrusted .	.....	"
Alfred Deschanmp....	"	Dead .....	" .....	.....	.....
George Lichtengel....	"	Living .....	Committed	.....	.....
William Hayes .....	"	" .....	Intrusted .	.....	Remains
Leo Sarrah.....	"	" .....	" .....	.....	"
James Naples.....	"	" .....	Committed	.....	"
John Doberstein.....	"	" .....	Intrusted .	.....	"
William Sheehan.....	"	" .....	" .....	.....	"
James O'Brien.....	"	Dead .....	" .....	.....	"
John Doberstein.....	"	Living .....	Committed	.....	"
Charles Kinney.....	"	" .....	" .....	.....	"
Charles Miller.....	"	Dead .....	" .....	.....	"
Charles Stevens.....	"	Living .....	" .....	.....	"
Charles Bagan.....	"	" .....	" .....	.....	"
Stephen Wisanoinski .	"	" .....	" .....	.....	"
Peter McNeal.....	"	" .....	Intrusted .	.....	"
Anthony Mavelski....	"	" .....	Committed	.....	"
John Foley .....	"	" .....	" .....	.....	"
Joseph Baker.....	"	" .....	" .....	.....	"
Frank Noonan.....	"	" .....	Intrusted .	.....	"
Dennis Hughes.....	"	Father liv'g.	" .....	.....	"
Sebastian Greozzo ....	"	Living.....	Committed	.....	"
Dominic Pasqalee ....	"	" .....	" .....	.....	"
Antonio Grallella.....	"	" .....	" .....	.....	"
Thomas Kennedy.....	"	" .....	" .....	.....	"
John Okpesz .....	"	" .....	" .....	.....	"
William Lee .....	"	" .....	Intrusted.	.....	"
Patrick Hughes.....	"	" .....	" .....	.....	"
Elmer Roberts .....	"	" .....	Committed	.....	"
Anthony Frank.....	"	" .....	" .....	.....	"
Maurice Kean .....	"	Father dead.	Intrusted.	.....	"
Daniel Kean .....	"	" .....	" .....	.....	"
Cornelius Loftus.....	"	" .....	" .....	.....	"

TWENTY-SEVENTH ANNUAL REPORT

OF THE

MANAGERS AND SUPERINTENDENT

OF THE

NEW YORK STATE SCHOOL FOR  
THE BLIND,

BATAVIA, N. Y.

FOR THE YEAR 1894-1895.

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TRANSMITTED TO THE LEGISLATURE JANUARY, 1896.

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WYNKOOP HALLENBECK CRAWFORD CO.,

STATE PRINTERS,

ALBANY AND NEW YORK.

1896,





# STATE OF NEW YORK.

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No. 50.

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## IN ASSEMBLY,

FEBRUARY 6, 1896.

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### TWENTY-SEVENTH ANNUAL REPORT

OF THE

Board of Managers and Superintendent of the  
New York State School for the Blind.

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*To his Excellency the Governor and the Legislature of the State of  
New York:*

We herewith transmit to you the twenty-seventh annual report  
of the management of the New York State School for the Blind.

LEE R. SANBORN,  
FRANK S. WOOD,  
DANIEL W. TOMLINSON,  
*Committee.*





## BOARD OF MANAGERS.

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NELSON BOGUE,	LEE R. SANBORN,
AMMI H. HOSKINS,	SIDNEY A. SHERWIN,
MRS. W. J. HUMPHREY,	ANDREW J. SKELLEY,
F. PARK LEWIS,	DANIEL W. TOMLINSON.

### Officers of the Board.

<i>President</i> .....	HON. LEE R. SANBORN.
<i>Secretary</i> .....	LEVANT C. McINTYRE.
<i>Treasurer</i> .....	FRANK S. WOOD.

### Executive Committee.

DANIEL W. TOMLINSON,	ANDREW J. SKELLEY,
SIDNEY A. SHERWIN.	

### Finance Committee.

MRS. W. J. HUMPHREY,	NELSON BOGUE,
F. PARK LEWIS.	

### Industrial Committee.

NELSON BOGUE,	AMMI H. HOSKINS,
FRANK S. WOOD.	

### Committee on Annual Report.

LEE R. SANBORN,	FRANK S. WOOD,
DANIEL W. TOMLINSON.	

# OFFICERS OF THE SCHOOL.

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Superintendent,  
GARDNER FULLER.

## Literary Department.

OLIVER R. HEINZE ..... *Senior Grade.*  
MISS SARA WHALEN..... *Junior Grade.*  
MRS. E. LUELLA COFFIN ..... *Sub-Junior Grade.*  
MISS CORNELIA PHELAN..... *Intermediate Grade.*  
MISS MARY C. McGEE ..... *Primary Grade.*  
MISS CHARLOTTE WEED..... *Kindergarten.*

## Department of Music.

J. EDMUND SKIFF ..... *Director and Instructor  
of Voice.*  
GEORGE F. OGDEN..... *Organ and Piano Forte.*  
MISS GRACE E. BARTLETT ..... *Piano Forte.*  
MISS ANGELINE CUTTER..... *P. P. Musical Notation  
and Piano Forte.*  
AUGUSTUS FRICKER ..... *Teacher of Violin.*

## Industrial Department.

HUMPHREY P. MADDOCK..... *Master of Handicraft.*  
MISS SARA CREHAN..... *Mistress of Handicraft.*  
HORACE K. SMITH..... *Teacher of Tuning.*

## Matrons.

MRS. MARY E. ASHLEY,      MISS SARAH E. CHICK,  
MISS SUSAN ANDERSON.

## Housekeeper.

MRS. ELIZABETH D. THWING.

CORNELIUS F. McCARTHY..... *Physician.*  
LUCIEN HOWE..... *Ophthalmic Examiner.*  
FRANK M. JAMESON..... *Accountant.*  
PETER THOMAS..... *Steward and Storekeeper.*  
MISS KATE McCANN ..... *Visitors' Attendant.*

# TRUSTEES' REPORT.

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*To the Honorable the Legislature of the State of New York:*

The Board of Trustees of the New York State School for the Blind at Batavia, begs leave to submit their annual report.

The majority of the present board came into the management about the middle of the school year, finding that owing to dissensions in the previous board, a somewhat demoralized condition of affairs existed; happily there is nothing of the kind now, the utmost harmony prevailing.

The members of this board being convinced that the school should be taken from the list of charitable and placed where it rightfully belongs, among the educational institutions under the supervision of the Department of Public Instruction, prepared and presented to the Legislature of 1895, an act for that purpose, but owing to opposition from the Board of Charities, it failed to become a law.

We find this school sadly deficient upon comparing it with others with a like purpose, and after thorough consideration of plans for large additions to our present buildings, we propose asking your honorable body for an appropriation sufficient to carry them into effect.

The board desire to call your attention to some statements contained in the Comptroller's report, which, unless explained, would tend to give a wrong impression. The rate per capita for maintenance is compared with institutions of an entirely different nature. It would, perhaps, not be out of place to call attention to the large difference of over one hundred dollars between this and the Perkins Institute at Boston, that being about four hundred and twenty dollars per capita. The appropriation for this school is the same as it has been each year since it was opened; and until the present law took effect, placing the management of the



expenditures in the Comptroller's hands, was sufficient for all ordinary repairs, in addition to maintenance. The balance on hand, as reported to the Legislature for the three years prior to the passage of this act, being as follows: 1890, \$3,166.45; 1891, \$4,335.70; 1892, \$1,847.99. In these three years the amount spent for improvements was \$9,510.48; the balance on hand at the close of the last fiscal year, September 30, 1895, as shown by the treasurer's report hereto annexed was \$175.62; this, too, with payment of the coal bill of \$1,393.52, suspended by the Comptroller until after October 1. The above statement of facts would seem to show conclusively that the management would best be left where it formerly was, in the hands of the trustees.

The receipts and disbursements for the fiscal year ending September 30, 1895, will be found in the following.

# Annual Financial Statement.

Report of the treasurer of the New York State School for the Blind of the receipts and expenditures, general fund, for the year ending September 30, 1895:

## RECEIPTS.

1894.

Oct.	1. To balance on hand per last statement..	\$1,414 87	
	Amount received from Comptroller.....	38,631 45	
	Amounts from miscellaneous earnings:		
	Sale of home products.....	\$200 36	
	Sale of clothing to counties..	2,827 94	
	All other items, miscellaneous. . . . .	82 95	
	Shop, farm and garden.....	522 18	
		<hr/>	3,633 43
			<hr/>
			\$43,679 75
			<hr/> <hr/>

## EXPENDITURES.

1895.

Sept.	30. By salaries of officers.....	\$12,648 69
	By wages and labor.....	9,267 18
	By expenses of managers, trustees and officers.....	666 42
	By provisions. . . . .	9,060 08
	By household stores. . . . .	2,458 41
	By clothing. . . . .	1,992 00
	By fuel and light. . . . .	1,939 37
	By hospital and medical supplies.....	240 33
	By shop, farm and garden supplies.....	1,901 52

1895.

Sept. 30.	By ordinary repairs.....	\$1,074 70
	By transportation of inmates .....	486 10
	By miscellaneous. ....	1,687 67
		<hr/>
		\$43,422 47
	Refunded Onondaga county.....	81 66
		<hr/>
		\$43,504 13
	By balance on hand, to new account, gen- eral fund, October 1, 1895.....	175 62
		<hr/>
		\$43,679 75
		<hr/> <hr/>

## SPECIAL FUNDS.

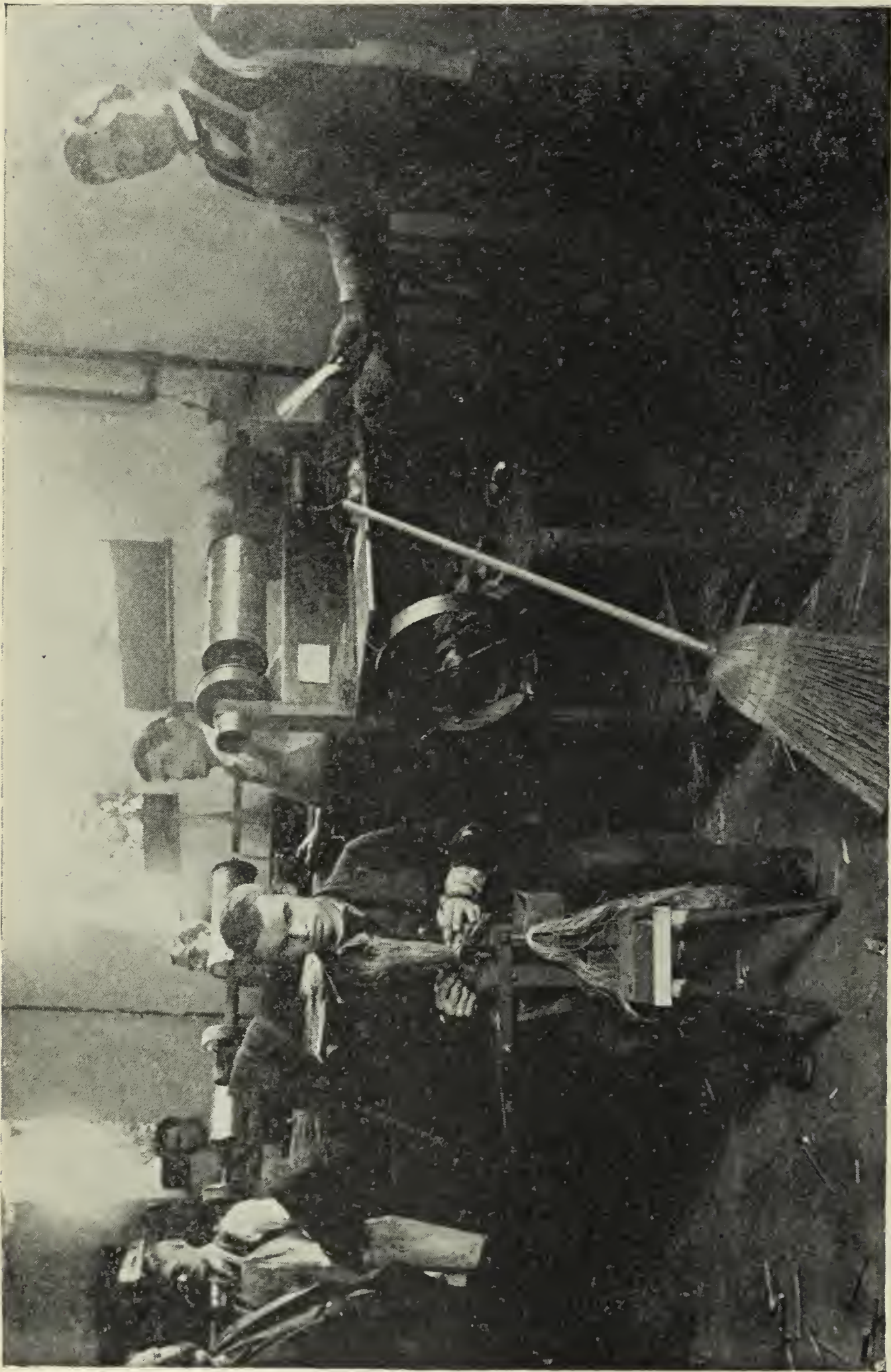
*Balances.*

1894.

Oct. 1.	Hospital fund, balance.....	\$100 01
	Expenditures. ....	47 65
		<hr/>
	Balance October 1, 1895.....	\$52 36
		<hr/> <hr/>
Oct. 1.	Sewage fund, balance.....	\$1,930 80
	Expenditures. ....	146 88
		<hr/>
	Balance October 1, 1895.....	\$1,783 92
		<hr/> <hr/>

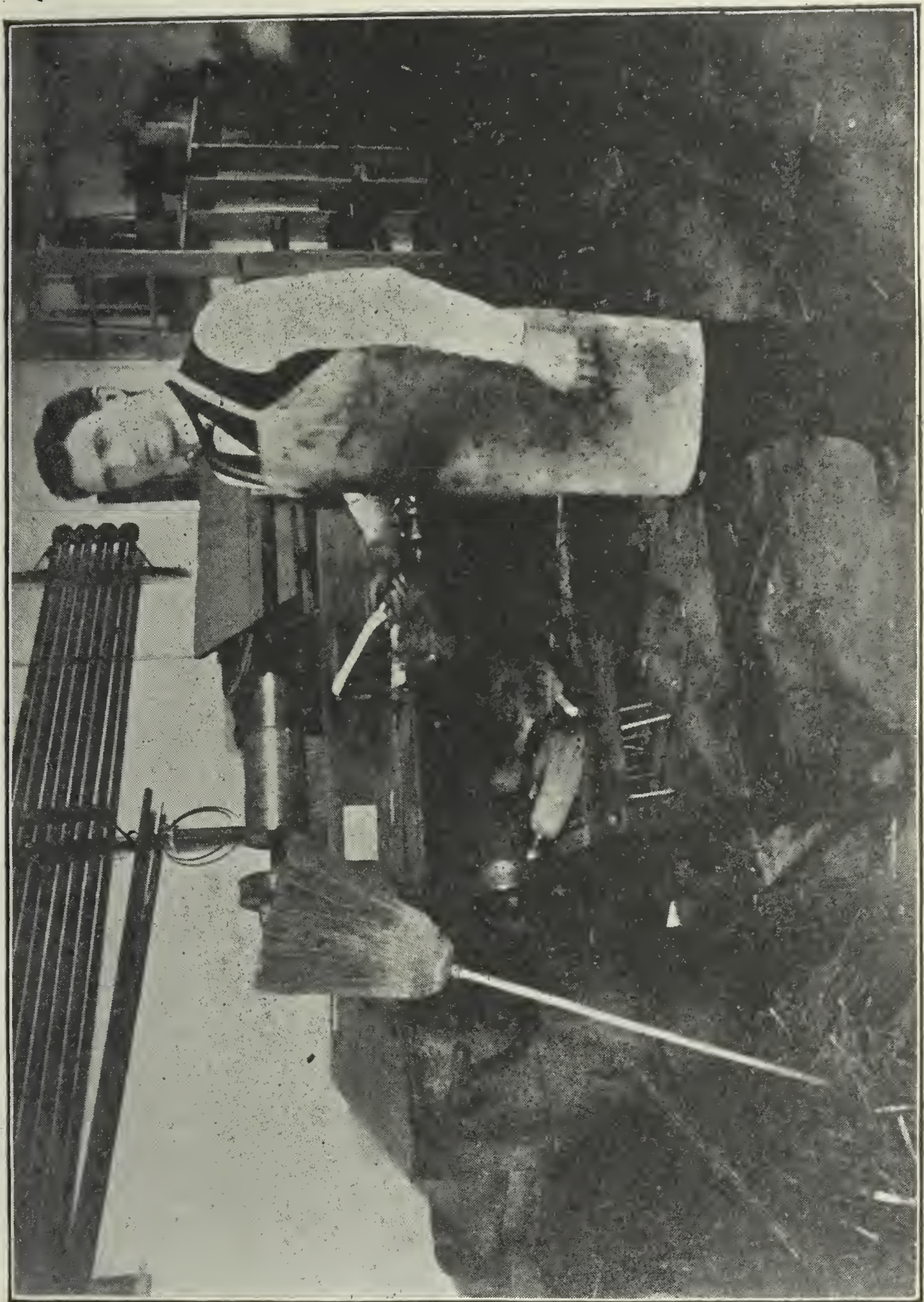






BROOM MAKING.





BRUSH AND BROOM-MAKING.





# Superintendent's Report.

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*To the Trustees of the New York State School for the Blind:*

Gentlemen.— Herewith I have the honor of submitting for your consideration the twenty-seventh annual report of this school.

In making this, my first report, I feel that I may with propriety make it as brief as a statement of the principal facts of interest in connection with school the past year, and a few recommendations for the future, will allow.

During the school year closing June 19, 1895, there were in attendance 160 different pupils, representing forty-four counties of the State.

A catalogue of these pupils and their respective counties is appended to this report.

Ninety-six of these pupils were males, of the average age of 15.8 years. Sixty-four females, whose average age was 18 years.

The number of pupils taught in the different grades of the literary department during the year was as follows:

Senior grade. . . . .	20
Junior grade. . . . .	28
Sub-junior grade. . . . .	27
Intermediate grade. . . . .	22
Primary grade. . . . .	24
Kindergarten. . . . .	18

---

In the music department the numbers were as follows:

Senior choir. . . . .	36
Junior choir. . . . .	40
Vocal class. . . . .	11
Piano. . . . .	66
Organ. . . . .	4
Harmony. . . . .	12
History and biography. . . . .	11

---

In the tuning department there were 27 pupils; in the broom department, 17; in the chair caning, 28; in willow work, 13, and in the girls' workroom, 63.

At the closing exercises of the school year, held in the school chapel June 17 (see programme), there were four graduates from the literary department, five from the tuning department and five from the industrial department.

### Programme of Closing Exercises.

*Motto—Students Always.*

#### GRADUATES OF 1895.

Literary Department.—Susan Harrington, Thomas Harold, John Campbell, William Sheehan.

Tuning Department.—John Campbell, William Kelley, William Disbrow, William Wattengell, Thomas Harold.

Industrial Department.—Broom Making—Otis Cook. Chair Caning—Harry Hall, Charles Morganstern, Daniel Lewis, William H. Marshall.

The next term opens Wednesday, September 11, 1896.

#### PROGRAMME.

Chorus.—“Morning is Breaking” . . . . . Donizetti  
Senior Choir.

Declamation.—“The Moral Responsibility of the American People” . . . . . Webster  
Floyd Whiteman.

Recitation.—“Sometime” . . . . . Mary Riley Smith  
Georgianna Heinsbury.

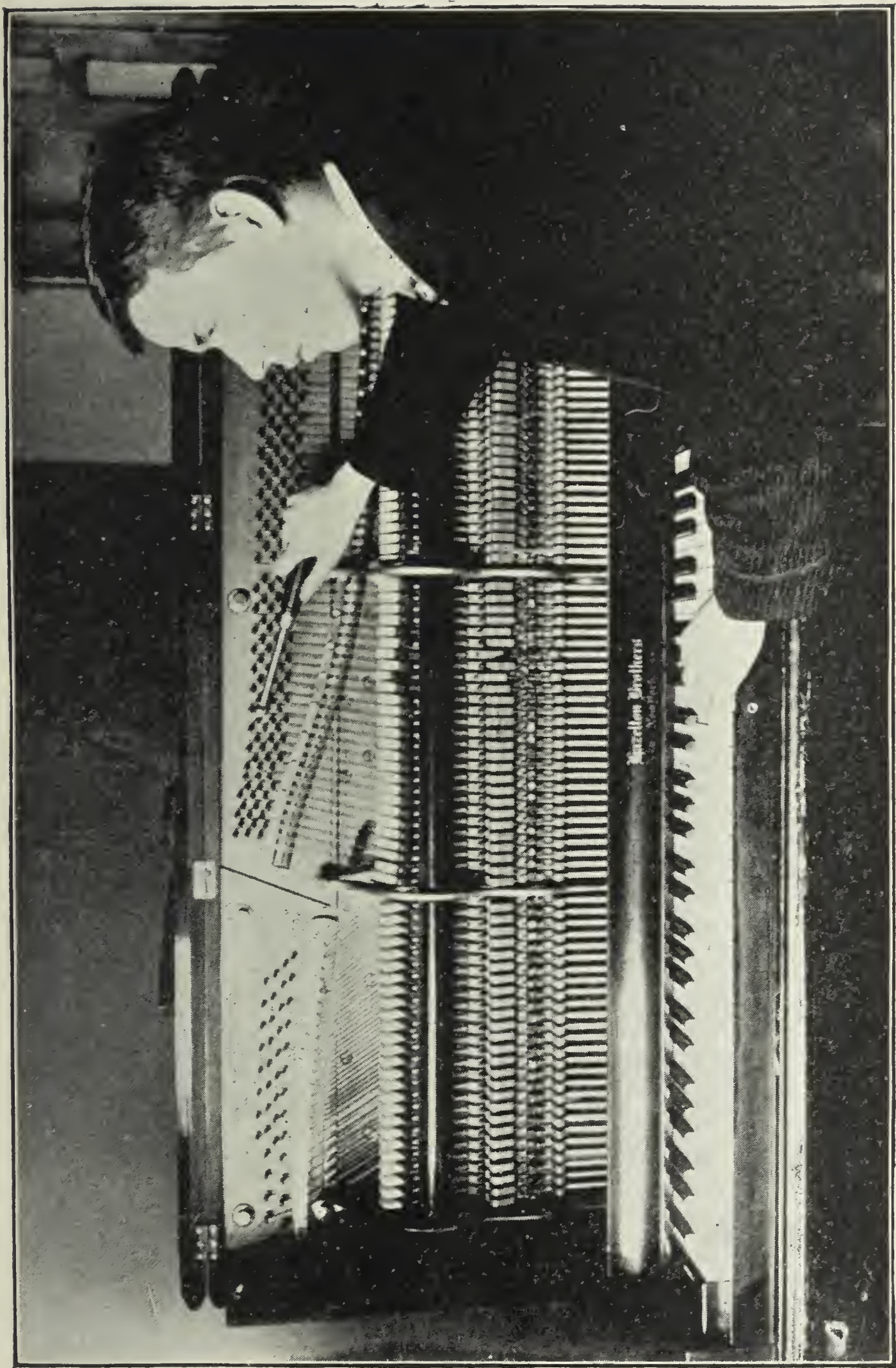
Male quartette.—“The Mill” . . . . . G. B. Brigham  
Charles Smith, John Campbell, Peter Manhardt, William Kelly.

Oration.—“The Nineteenth Century” . . . . .  
William Sheehan.

Oration.—“Rise and Development of the Opera” . . . . .  
John Campbell.

Vocal solo.—“When Twilight Comes” . . . . . Felton  
Peter Manhardt.





TUNING DEPARTMENT.





Oration.—“The Emancipation Proclamation” . . . . .

Thomas Harold.

Vocal solo.—“Ecstasy” (violin obligato) . . . . . Bach

John Campbell.

Essay.—“History of Music and Valedictory Address” . . . . .

Susan Harrington.

Hallelujah chorus.—“Messiah” . . . . . Handel

Senior Choir, with piano and organ accompaniment.

During the present term, commencing September 11, 136 pupils have been registered. More than thirty applications for admission have been rejected for various reasons; the principal one being that they could not consistently be admitted, taking into consideration the fact that this institution is a school and not an asylum for the helpless nor a home for the indigent.

Another reason is that we have not suitable accommodations for the number now present in the school.

The great and imperative need of the school is more room and better facilities for instruction in all its departments. The pupils have no rooms for study other than their dormitories; no place indoors for exercise and recreation other than the halls and corridors of the school building. The music department is cramped, I might say crippled, by its lack of both suitable rooms and good pianos. For more full and complete details as to the needs of this important department of our school work I would refer you to the report of the director of that department.

Our tuning school has been shunted into a series of narrow, dark, illy-ventilated rooms, separated from each other by thin board partitions, through which every note struck in the process of tuning readily penetrates. In these pens, for they are little else, our young men, many of them of frail physique, pass three, four, and five hours each day striving to master this art, most difficult with the best facilities and the most favorable environment.

The industrial department, embracing broom making, chair caning, mattress making and willow work, is located in the basement, which though dry and well ventilated for a basement, yet



from the very nature of the case, is entirely unsuited as a workshop for any one; and especially so for our blind pupils, the great majority of whom are sadly wanting in that physical vigor and vital energy which would better equip them to withstand the unsanitary influences of these shops.

There are many and radical changes that, in my opinion, should be made as soon as practicable, if the school is to do the work and fulfill the purposes for which it was established. This work can be done and these purposes fulfilled if only the proper facilities are provided and a teaching force organized to make the best and most effective use of such facilities.

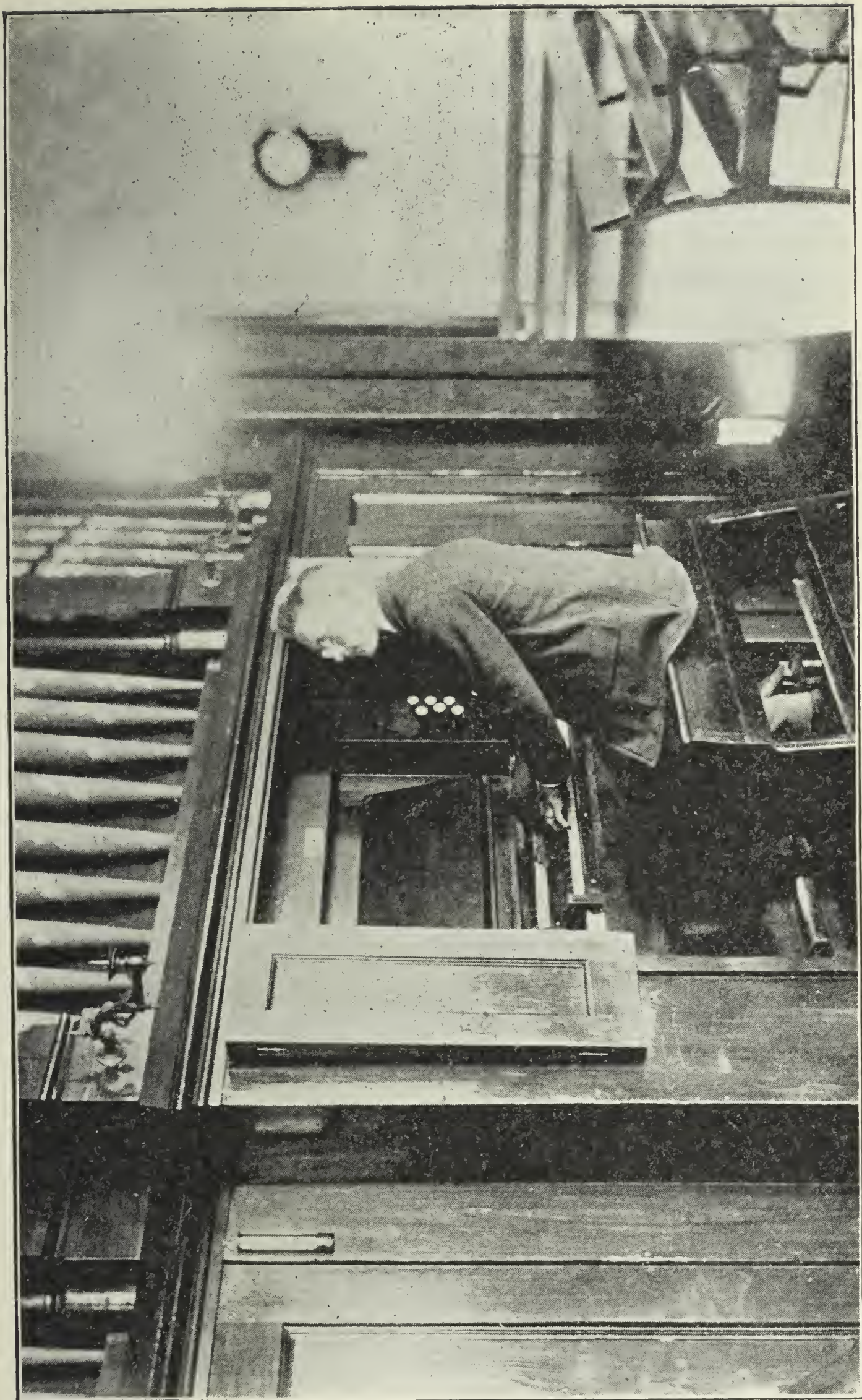
This great and prosperous commonwealth, that is so munificently providing educational facilities for the seeing, will not, most assuredly, be niggardly in furnishing generous and ample resources for the proper education and training of its unfortunate blind.

Let the importance of this matter be properly presented to our representatives at Albany and they will, without doubt, appropriate ample means to enable your honorable body to make all the needed and necessary changes requisite for affording our pupils the best facilities for their mental, musical, manual and physical development that modern experience and science have brought to light.

Looking to the accomplishment of these results, I would offer for your consideration the following two separate and distinct plans:

First. That new dormitories should be erected separately for the males and the females; that the one for the females be to the eastward of our present main building, and the one for the males to the westward. That they be connected with the present buildings by corridors, which could be thrown open in the warm weather, and closed in the cold and inclement portion of the year. I would advise that they be closed by glass frames, thus providing a place where the younger and more feeble of the pupils could obtain exercise and sunlight at the same time without dangerous exposure.





PIPE ORGAN (IN CHAPEL).





These buildings should be two stories in height, with sleeping, bath and toilet-rooms on the second floor. The first floor would be used for study rooms, recreation rooms, and industrial rooms for the girls in their building, where plain sewing and knitting should be taught to such an extent as to enable them to make much of their own clothing.

I would also recommend the establishing of a culinary department, where the girls should be taught to prepare vegetables and cook them, to make bread and plain cake, to cook meat, to wash dishes and to properly set a table, to care for their rooms, make their own beds, sweep and clean the floors; in fact, learn to be housekeepers. That this can be done for most of the blind girls I am quite certain; and I feel equally sure that it would be far better for the future of the great majority of our girls were they to have less of astronomy and psychology and more of this plain and practical training in their course of study.

Second. The second general plan which I offer for your consideration is the following:

On the grounds between the present buildings and State street, provide for a separate and distinct school for the girls. I venture to suggest this plan now, when you are about to enter upon changes for increasing the accommodations of the school, there being no question as to the trend of opinion, with those having experience, in favor of absolute and complete separations of the sexes in all schools for the blind.

I would advise the erection of a central building of two stories, in which provision should be made for an office, class rooms, library and reading room, practice and lesson rooms for piano pupils, and a work room for the industrial class. Provision should also be made in this building for a chapel or assembly room with a seating capacity of 200 or 250.

A gymnasium, with dressing-rooms, bath-rooms, etc., should also be connected with this central building.

About the central building, and connected with it by covered corridors, group a system of cottages. These cottages should be

sufficiently large to make comfortable homes for from twelve to twenty girls, two teachers, a matron and a domestic.

The greater portion of the work in these homes, as the making of the beds, the care of the rooms, sweeping, dusting, setting the tables, washing the dishes, and helping in the preparation of meals, will be done by the pupils under the direction and instruction of the matron and teachers. The training thus received would doubtless be of as great practical benefit to the girls in after-life as any they would receive in the musical or literary departments.

The teachers in each cottage will have the direct care and oversight of a small group of girls, thus giving them an opportunity to become intimately acquainted with the character, habits and peculiar idiosyncracies of each. This intimate acquaintance would enable the teachers to do much for the girls in the formation of character, in the acquisition of correct habits of speech, in familiarizing them with the customs and usages of good society, both at the table and in the parlor, in which so many of them are so sadly deficient; and it is not strange that they are so, for if we but consider a moment, we shall realize that our own knowledge of these matters has been gained almost exclusively through the eye.

The cottage system has certainly many advantages over the old custom of crowding the girls all together into one huge hive; and in our case, where we have plenty of land, it would seem that we should be guided by the light gained from the experience of other schools.

The ideal school life should approach as near the true home life as the circumstances of the case will permit.

The advantage of this second plan over the first would be, in my opinion, first, a more complete separation of the sexes; second, a more thorough and practical training in the duties of home life and the amenities of social life, training which the great majority of our girls will never get unless it is obtained here; third, unquestionably the cause of good order, good health and good morals would be greatly promoted thereby.





INSTITUTION BAND.





A new building should also be erected for the accommodation of the industrial department proper, i. e., the broom shop, chair caning, mattress making and willow work. I would advise that provision be made for a wood-working shop also. Many of these blind boys are very handy and ingenious in the use of tools; in fact, natural mechanics; and could, without doubt, learn to make many articles that would be of use to themselves though not salable in the market. Provision should also be made in this building for the care of the adult blind while learning a trade. Many applications for admission are received every year from men who have lost their sight through various casualties and who desire to learn some trade by which they may earn a subsistence and thus escape becoming a burden to their friends or to the taxpayers. These applications we are compelled to reject, not only through lack of accommodations, but also because we have learned by experience that it is neither wise nor judicious to admit these adult persons among the young pupils.

It is imperative that the separation be kept absolute and complete..

Rarely do we find a strong, vigorous and healthy physique among the pupils of our school. Almost without exception, they are lacking in physical vitality. Many of them are weak and diseased through inheritance. Some lack strength through neglect to take proper physical exercise. This has come about through the very natural timidity of the blind engendered by innumerable falls, bruises and mishaps of various kinds.

There is but little encouragement in endeavoring to train and develop strong, vigorous, self-reliant minds in these weak, puny, anaemic bodies.

A sound body is essential would we have a sound mind.

I trust, gentlemen, that this subject of providing means for the physical training of our pupils may have your earnest and serious attention. I feel quite sure that you will concur with me in the opinion that a gymnasium is an essential requisite for the proper training of the pupils of this school. I earnestly hope and trust

that you may be able to provide, in the near future, a large, airy gymnasium, fully equipped with the most approved modern apparatus, and to place it in the charge of a man thoroughly competent to act as director of physical culture. No greater boon could be conferred upon these blind boys and girls.

Should the recommendations I have made be adopted and carried out, our present building could be most advantageously utilized for school purposes exclusively. With the increased room which the proposed changes would place at our disposal, another change could be made which I trust would meet your hearty approval, and that is, the entire separation of the sexes in all school work. This is a matter the importance of which, in my opinion, can hardly be overestimated; and each day's experience but deepens the conviction in my mind that the change would be, in every way, for the best interest of the pupils, and that it is incumbent upon the board of trustees to secure this separation as soon as the circumstances will permit.

The eastern portion of the present building with the new dormitory, could be used exclusively for the girls' department; the western, with the corresponding new dormitory for the boys' department. The chapel and dining-rooms could be used in common as now, if thought best.

This change would necessitate an increase in our teaching force in the literary department, but would, I am sure, increase its efficiency in a much greater ratio.

Our classes, as at present organized, are much too large if we are looking to secure the best results. With a class of seeing pupils, much of the instruction, by means of the blackboard, can be given to them as a whole, but with the blind each pupil must to a certain extent at least, be taught separately. All the processes are slower and must be worked out with more care. Each step in advance can only be taken with the utmost deliberation; for the blind student, in the demonstration of a proposition, or in the grouping of details to form a synthetic whole, has only his memory as a thread by which he may hold fast to the several steps involved in his demonstration, or by which he may bind up the several particulars



to form a truthful and symmetrical mental picture. For him, no page of the open book, no blackboard may serve in the place of memory; for his fingers, at the best, are but a poor and awkward substitute for the eyes of the seeing. A class of twelve or fifteen is quite as large as any one teacher can instruct thoroughly, and in many cases even this number would be too great. For we have many pupils here whose minds are as feeble as their bodies, but they are capable of receiving instruction and a certain amount of mental training that will in a measure fit them to discharge the ordinary duties of active life.

This separation of the pupils, therefore, while it would add slightly to our teaching force, would diminish the size of the classes, would enable us to grade the school more accurately as regards the advancement and mental capacity of the pupils, thereby securing much more careful and much needed oversight of the pupils as individuals.

There are other and still more serious and weighty reasons why this step should be taken, with which you are all doubtless familiar, and upon which I will not therefore amplify.

I trust you will not consider me intrusive in calling your attention to the fact that a portion of our extensive grounds might be utilized, in a way that would prove not only of great benefit to the physical health and manly vigor of our pupils, but also a source of great pleasure and innocent amusement. I would suggest that a large playground for the boys be made to the northwestward of our main building, by removing the trees and properly leveling and grading several acres, so that there might be ample room for both the older and younger boys to have their various games of football, running races, croquet, etc., without danger of interfering with each other.

I would also prepare a playground for the girls to the eastward of the main building, in what is now the orchard. This so-called orchard is of no use so far as fruit is concerned, as it has produced little or none for several years, and many of its trees are either dead or dying. This space is most admirably fitted for a place of recreation and games for the girls.

Many of our pupils have sufficient sight to ride a bicycle with safety and pleasure had we a special track provided for them for which we have ample room.

A pond for skating, for the exclusive use of our pupils, could be prepared at slight expense upon the low grounds to the north. A little grading, raising a slight embankment, and then flooding the area to the depth of a few inches, and our skating rink for the season would be completed.

In making these recommendations in regard to the preparation of playgrounds, where sports and games can be indulged in safely and with pleasure, I am influenced by the experience I have gained in the last few months.

That our pupils should, in some way, be brought to lead a more active, out-of-door life is a question, I am firmly convinced, not only of health, but of morals.

We can, of course, under present circumstances, drive our pupils out into the open air during the cold and inclement weather which constitutes by far the larger portion of the school year, but we should lose in the process the very benefits we seek. We would make the attractions outside so strong that the restraint would have to be exerted to keep them indoors. We shall not reap in full measure the benefits sought by physical exercise until it becomes play, and a pleasure, then will it become truly a recreation, and we shall secure as results, strengthened and invigorated bodies, and minds purged from impure thoughts.

These minds, imprisoned in their windowless cells, with never a glimpse of the faces of friends, of the beauties of the external world, breed strange thoughts and fancies, of which we now and then catch faint shadowings, in their words and actions.

This introversion of the mind can not but be unhealthful and perverse of those feelings, which normally are the best and purest of our nature.

I know not how this tendency can be more effectually obviated than by active physical exertion into which the participants shall throw all their strength and thought. I trust that this matter of providing ample, suitable and safe play grounds for the pupils



will receive the prompt and earnest consideration of the board of trustees.

During the summer vacation Mr. Milton E. Gibbs sent in his resignation as principal of the literary department. As the position was still vacant at the opening of school, Mrs. Fuller assumed its duties and discharged them till about the first of November, when Mr. Oliver R. Heinze, who comes to us with the highest testimonials, was engaged for the position. A change has also been made in the director of our musical department; Mr. J. Edmund Skiff entered upon his duties as the director of music October 1.

The rest of our teaching force is the same as last year. It gives me pleasure to report to you the zeal and interest which the teachers are, as a rule, manifesting in their work.

I am very much pleased, also, to be able to report to you what seems to me a most marked improvement in the general tone and spirit of the school as a whole, a spirit of order and willingness to comply with, and abide by, reasonable restrictions, has taken the place of a general spirit of insubordination and defiance, which seemed the prevailing sentiment when I entered upon the discharge of the duties of superintendent. The pupils are, as a rule, orderly and studious, zealous to improve their time and make the best use of the advantages here offered them.

I have made some changes in the way of shortening the course of study requisite for graduation. I have omitted from the course astronomy, chemistry, psychology and bookkeeping and made physics, geology, Latin and political economy optional as to any two.

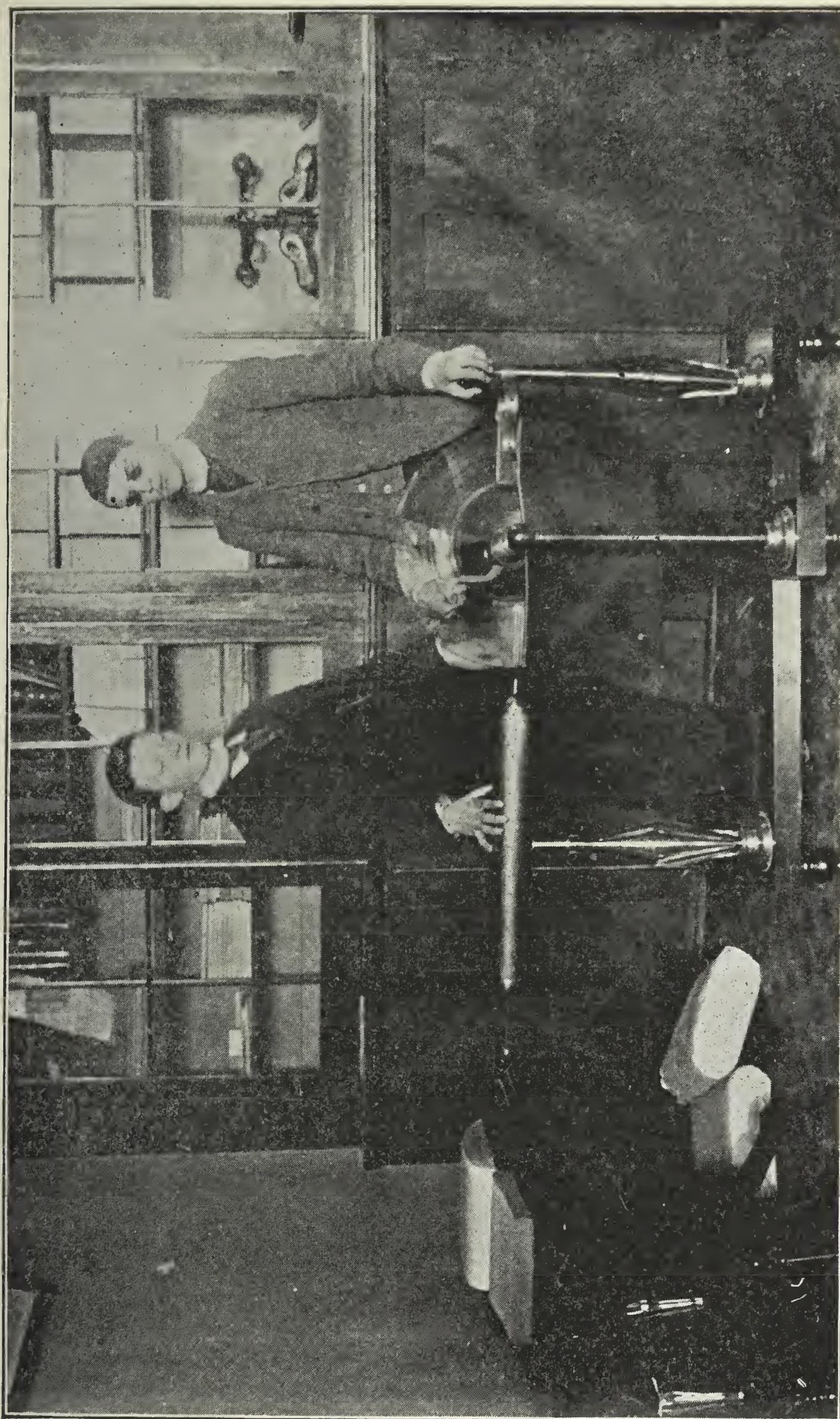
My theory in thus revising the course of study has been not how much but how well, not quantity but quality. In fact, my anxiety is not so much to fill our pupils up in the class-room with a large and varied assortment of facts upon various topics, as to cultivate in them habits of study and investigation for themselves. If we can send our pupils out from school with a desire to learn, and a fondness for study and with minds so trained as to know how to study, then the great and essential objects of school life



will have been acquired! The walking cyclopaedia of facts, without the training, which study alone can give, to use them, is a child clad in the armor of a giant. I have made some changes in the pupils' dining rooms, furnishing a portion of the tables with linen table cloths and napkins, cups and saucers, glasses and a better quality of tableware generally. A seat at one of these tables is an honor, but an honor open to all the pupils. Good manners at the table, a proper use of the knife and fork, care and attention to all the details of conduct at the table render any pupil eligible for promotion to a seat at the table of honor. This change has brought about a marked reform as regards deportment, order and decorum in the dining rooms, as all are anxious to obtain a seat at these tables. I have quite recently had gas introduced in the back halls that were formerly dark and without means of lighting, and also in the dormitories of the pupils, the gas jet being properly protected by screens. This has given much satisfaction to the pupils, many of whom can see sufficiently to appreciate the light these long evenings, and I can assure you they are very grateful for the change from the darkness in which they have hitherto sat. Shades have also been hung at the windows in the dormitories and new furniture, such as I was able to obtain, placed in a few of the rooms. This has led the pupils themselves to take a pride in the neat and tidy appearance of their rooms. They are providing themselves with table spreads, hanging pictures upon the walls, putting up shelves to hold vases and other ornaments, some also providing themselves with clocks, these things being purchased for the most part from their scanty store of pocket money.

These may seem trivial matters at first thought, and yet they are quite significant to one who was told a few months ago that there was no use in trying to do for these boys, that they had no appreciation of generous, manly treatment, that the spirit of destruction was inbred, and that they would pull down and destroy faster than one could build up. My experience has taught me this, that our sightless boys and girls are very much like those endowed with sight; that is, they possess about the average





SCIENCE DEPARTMENT (SENIOR GRADE).







amount of human nature. When treated fairly, frankly and kindly they will return your treatment, in a measure at least, in kind. Let them know that you have no faith in them, and they will endeavor to justify your belief.

A system of weekly and monthly reports has been instituted which seems to be working out excellent results, judging from the great and increasing interest manifested in them by both pupils and parents.

The teachers report the class-standings of their pupils in scholarship and deportment to the superintendent each week. The superintendent mails to the parents or guardians of each pupil at the close of each month a report of the standing of the pupils in each of the departments of the school in which he is receiving instruction, his standing in deportment, the number of demerit marks received during the month, and the condition of his health. Copies of all these reports are kept upon the permanent records of the school. This system of reports and the copies kept upon record, though entailing a large amount of clerical work will, I feel assured, be amply remunerative in the interest aroused in both parents and pupils, and in the better and more faithful work thereby secured.

In closing, I would call the attention of the board to the urgent need of new pianos, already emphasized by the director of music in his report. The bedsteads in all our dormitories are out of date in every sense of the term; absolutely unfit for the use to which we are compelled to put them. We need at least 120 new iron bedsteads with wire spring mattresses. A large amount of new floors should also be laid in the halls and dormitories, as the present floors are so worn that it is with great difficulty that they can be either swept or cleaned. And when this is done they are far from tidy in appearance, as in many places they are so broomed up and splintered, that it is an impossibility to remove the lint and dirt with either cloth or broom.

I would also ask the board to consider the advisability of wiring the building for electric lighting, and for a system of electrical signal bells.

The steam heating apparatus also should have a thorough overhauling. The pipes leak at most of the joints. The return pipes seem to be useless, so far as any performance of the duty for which they were designed is concerned, as our radiators are filled with water rather than steam, most of the time.

In fact, the present building needs a thorough renovation in all directions from garret to basement.

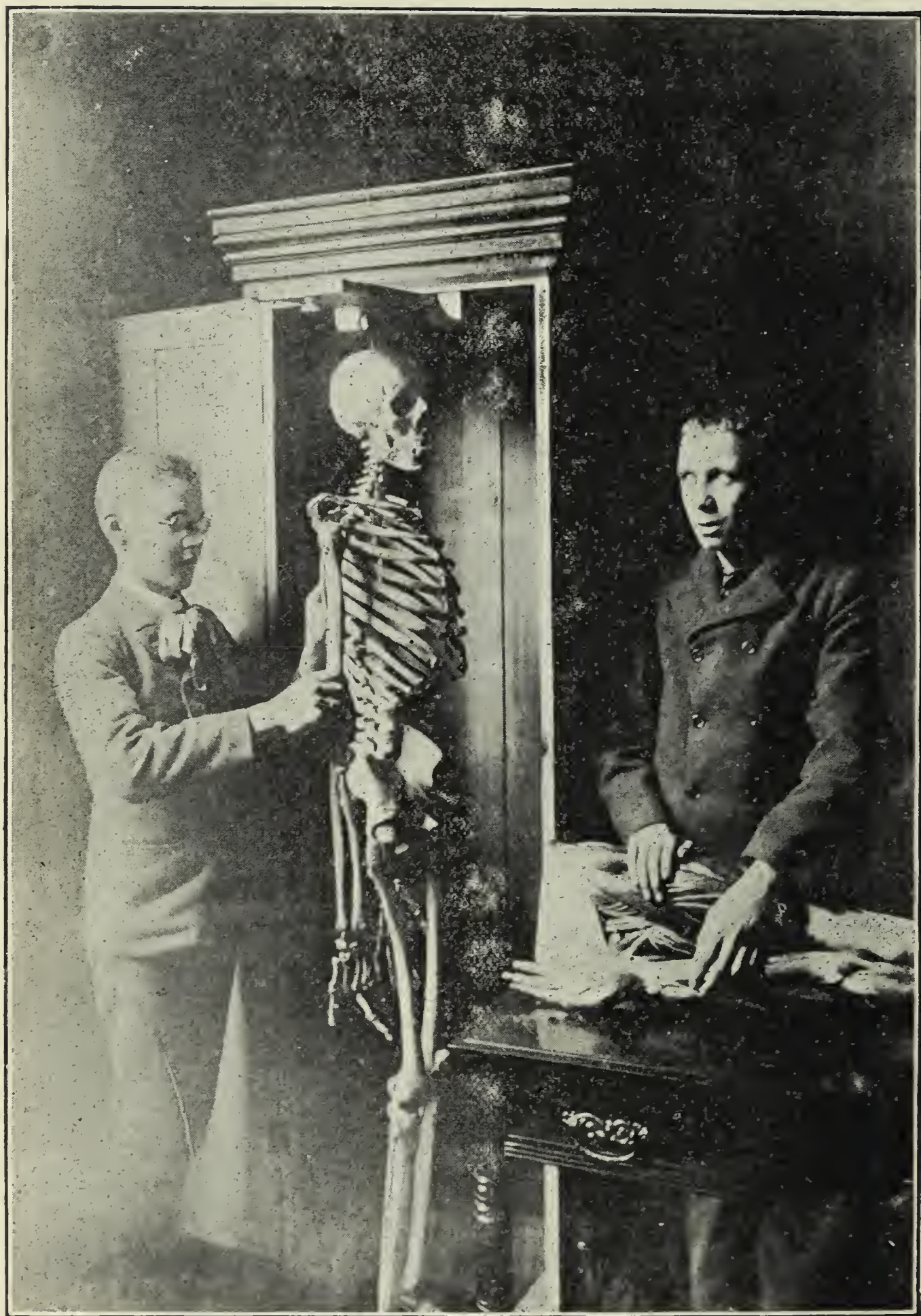
All of which is respectfully submitted.

GARDNER FULLER,

*Superintendent.*

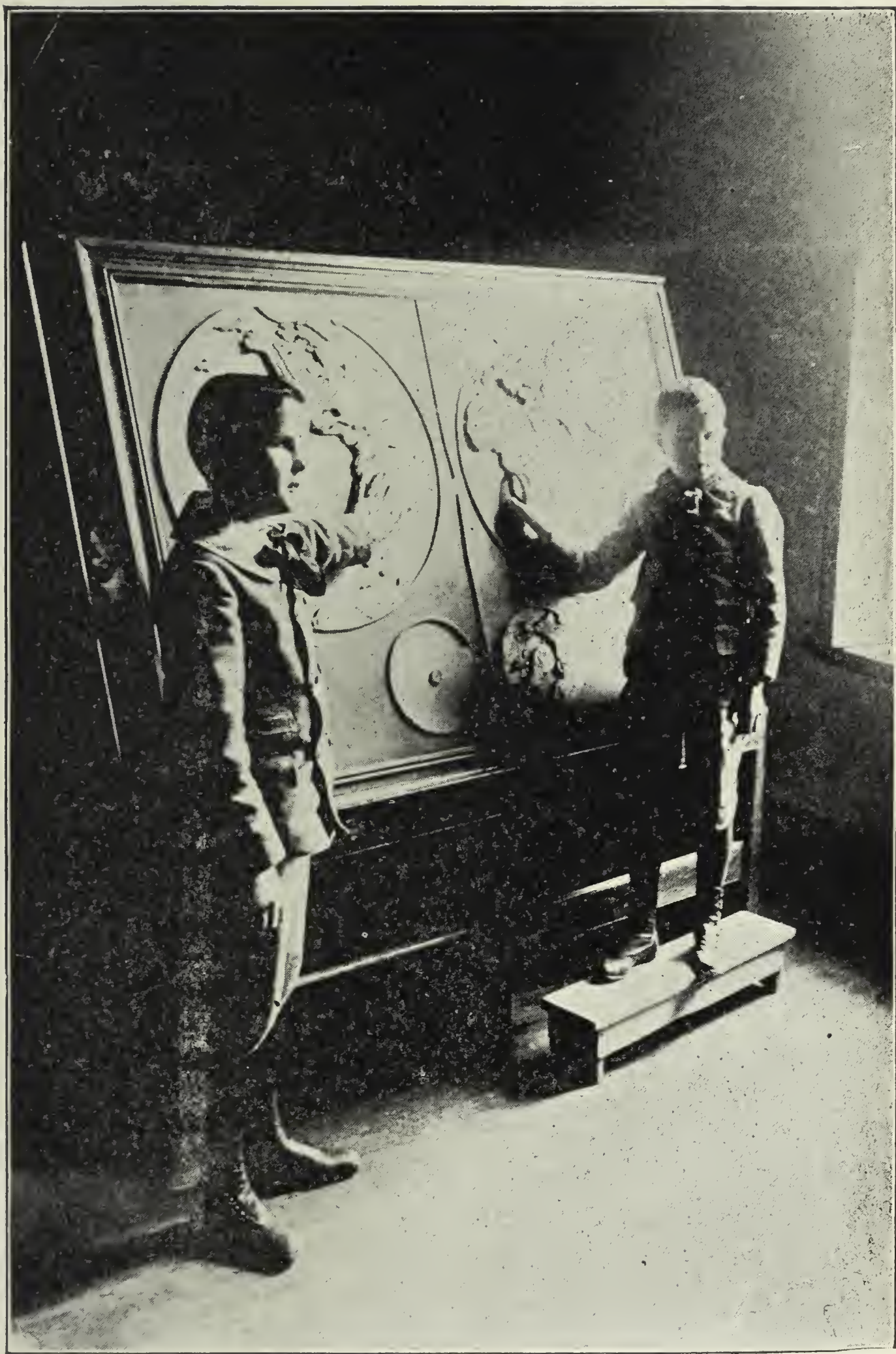






JUNIOR DEPARTMENT.





INTERMEDIATE DEPARTMENT.





## Report of the Music Department.

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GARDNER FULLER, *Superintendent of the New York State School for the Blind:*

Dear Sir.—It gives me great pleasure to submit to you the following report of the music department:

Not having assumed charge of this department until the 1st of October last, in the short interval that has elapsed, it has been impossible to so thoroughly organize and systematize the work as I deem essential in an institution of this character.

The number of pupils receiving instruction in the various branches of the department, are as follows: Voice, 17; piano, 74; musical notation, 13; violin, 8; senior choir, 31; junior choir, 40. Each pupil receives two lessons weekly, and on alternate weeks three; the two choirs meet daily.

The piano-forte and organ work is under the personal supervision of the director, each pupil being examined once in six weeks and a record kept of the work accomplished.

A system of tutoring has been introduced whereby the advanced pupils are teaching beginners under the immediate supervision and direction of a teacher, giving them practical experience, and a broader knowledge by bringing to their minds many things they did not thoroughly understand, or which may have been overlooked.

Those who have the desire and ability are given practical lessons in choir directing and accompanying.

More attention is being given to the vocal department than in previous years. We have a few promising voices. Many are taught vocal as well as instrumental music; although it will be of no practical use to them, yet the knowledge thus gained, may help to brighten and cheer lives which must be gloomy at the best. All are being carefully and thoroughly trained, enabling each to utilize all the talent given him.

Probably no branch of our school affords such good opportunities to a blind boy, if he has the necessary qualifications, as the tuning department. Through this medium he can obtain a permanent and profitable trade, in which he may be a credit to himself and to the school. We frequently hear from graduates who are doing a good business, earning from fifty dollars to eighty-five dollars per month. Therefore it is incumbent upon us to provide the best facilities possible. At present we are seriously handicapped by want of proper rooms and pianos. The rooms are separated only by thin wooden partitions, which but in a small way prevent the sound passing through. When several pupils are tuning at the same hour, which is frequently and necessarily the case, the various sounds travel from room to room, causing a perfect medley of tones, and making it impossible for a pupil to hear his own instrument alone. This in any other institution, where tuning is made as important a study as here, would not be tolerated. If there is any distinction, the blind student should have the best advantages.

The pianos now in use are the ones bought when the school first started. They were discarded from the practice rooms to be placed in the tuning department. They have long passed their period of usefulness here, and I hope will soon be claimed by seekers of curiosities in the way of ancient piano-fortes.

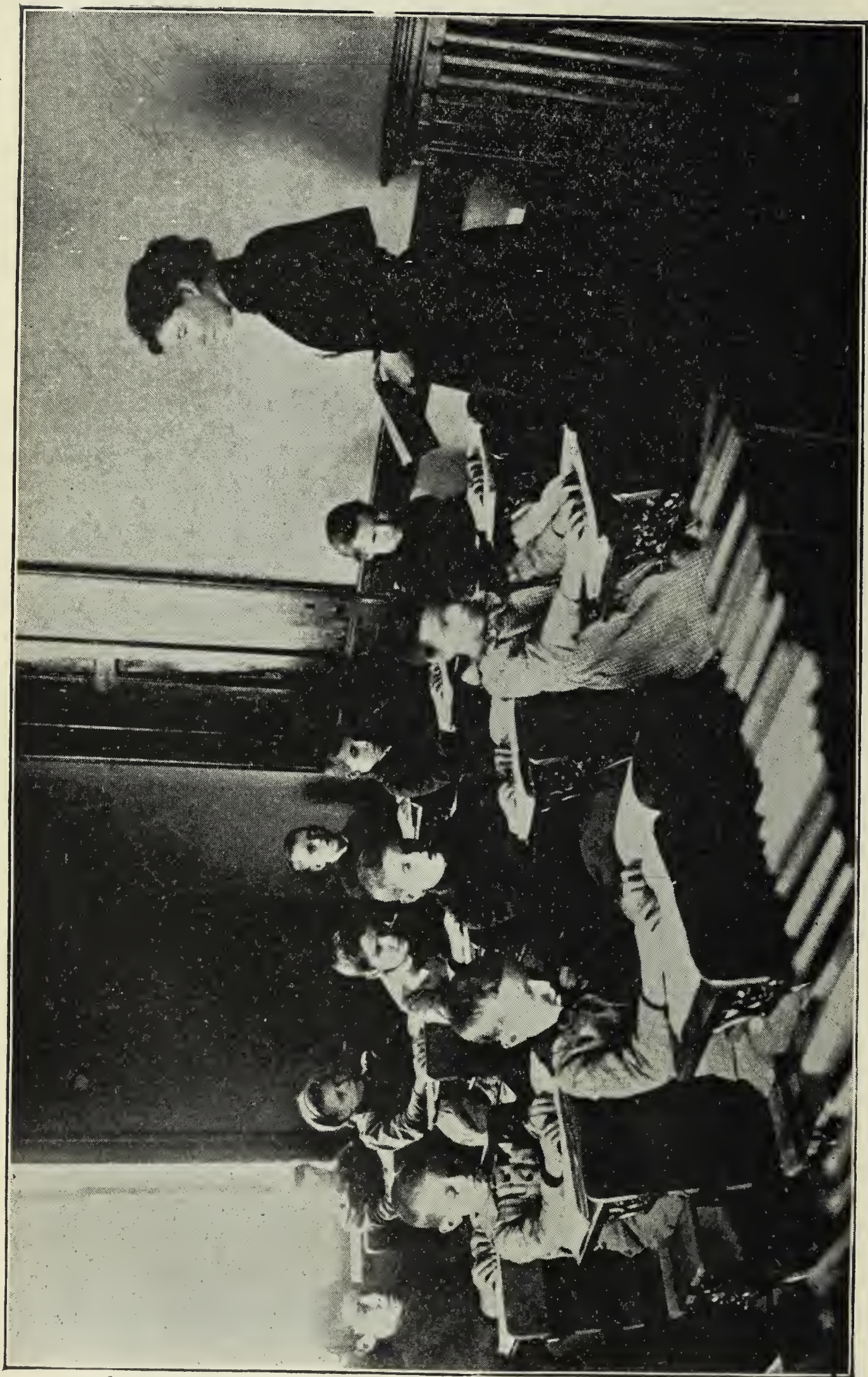
A few are this year studying the violin with very satisfactory results.

We are fortunate in having a good organ but it is in need of extensive repairs. While in the city, organs are generally tuned monthly, this has had nothing done to it in five years. Without going into details, I should estimate the cost of placing it in good condition to be from \$300 to \$400, after which it should have attention at least twice or three times a year.

It seems to me very essential that in order to become a good musician a student must have a good instrument to practice on. At the present time, when pianos can be bought for a comparatively small sum, it is discreditable that these blind pupils, who have only their ear and sense of touch to rely upon, are obliged

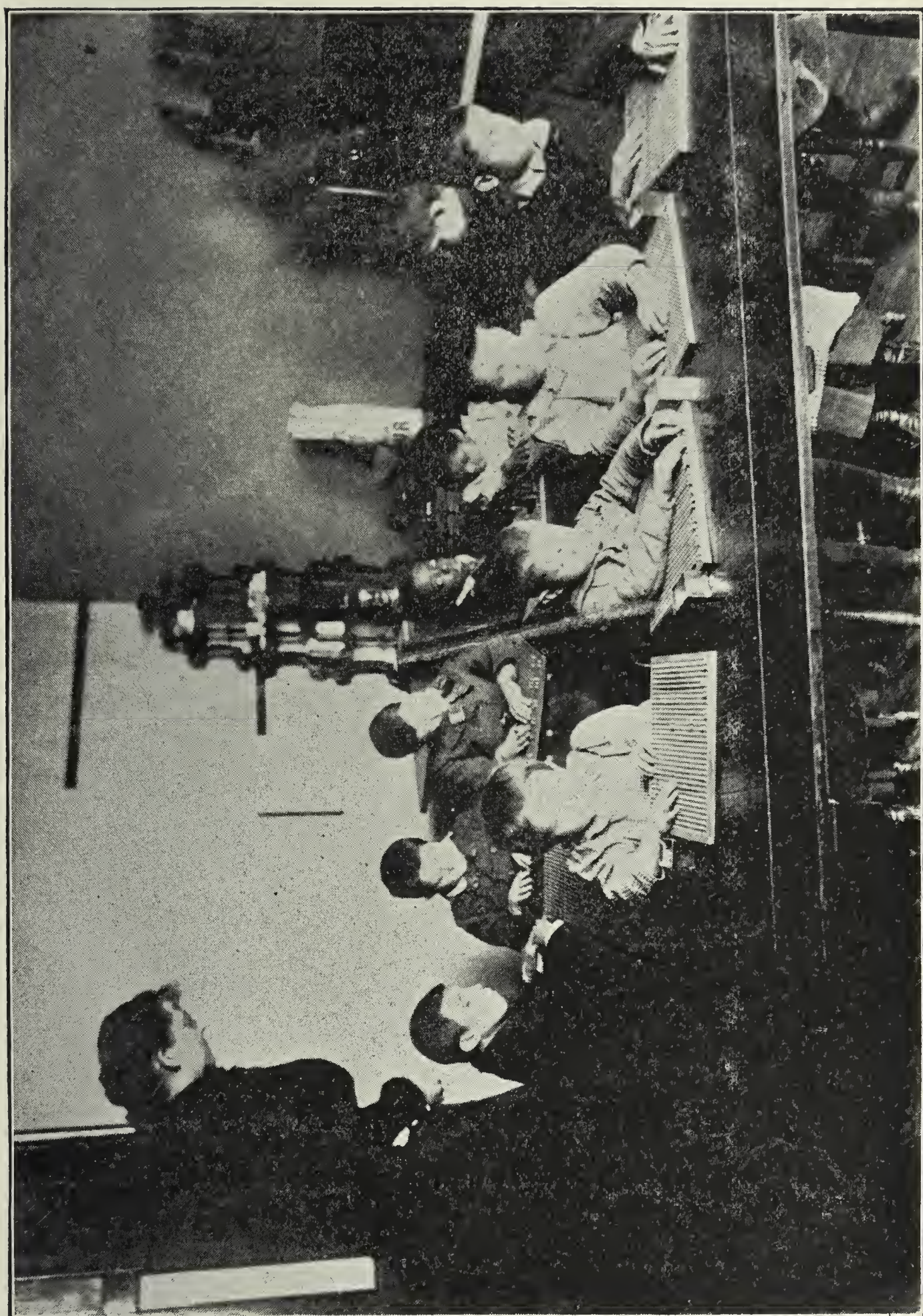






PRIMARY DEPARTMENT.





KINDERGARTEN.







to use such wrecks of pianos as are to be seen in our practice rooms. It is true that in former times they may have been mis-used, but why must the present pupils suffer for the deeds of the ones gone before. Permit me to make a strong plea, that at the very earliest period possible our practice rooms be supplied with good pianos.

For a blind student to learn music, it is necessary that every piece be dictated to him note by note. This necessarily occupies a large share of the time allotted to the lesson and could be entirely obviated by employing a person as music reader, thereby allowing the teachers to pursue their proper calling as instructors of the art and science of piano-forte playing.

It gives me great pleasure to say that I find a growing interest and a desire to do better work. Musicales are held monthly for pupils only, which is an incentive for them to do their very best.

In conclusion, permit me to say, it is my purpose not so much to instruct the pupils in music for their pleasure and diversion alone, as to fit them for a position in life where they will be of value to themselves and to the world.

Respectfully submitted.

J. EDMUND SKIFF,

*Director of Music.*

# Report of Attending Physician.

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BATAVIA, N. Y., *December 1, 1895.*

*Honorable Board of Trustees, New York State School for the Blind:*

I respectfully submit the following report for the year ending December 1st, 1895:

Number of pupils examined on admission.....	129
Boys. . . . .	78
Girls. . . . .	51
Number of pupils refused admission by my advice.....	4
Number of pupils returned home by my advice.....	1
Number of pupils treated at hospital.....	22

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It is my duty to report to you that we have had several cases of contagious diseases the past year. At the time of rendering the last yearly report, one case of erysipelas was under treatment in the sick-room, the hospital not being in condition to be used. This case was isolated as well as possible. On the 18th of December, 1894, Miss Coffin, teacher of a sub-junior department was taken seriously ill with the same disease.

The following communication resulted from a sanitary inspection, and explains the condition found and the measures taken to prevent the spread of the disease:

BATAVIA, N. Y., *December 20, 1894.*

FREDERICK PLACE, *Supt. N. Y. S. I. B.:*

Three cases of erysipelas having developed among persons engaged in sub-junior and intermediate department class-rooms, I deem it best that no more recitations or assemblies take place in said rooms until same have been properly cleaned, disinfected and fumigated, and I hereby direct the same and order the following:

Central court to be swept clean.

Basement of rear building to be thoroughly cleaned, disinfected and fumigated, especially the mattress-shop which is in a filthy condition.

Grounds to north of rear building to be thoroughly swept.

Sub-junior and intermediate rooms to be thoroughly cleaned by rubbing plaster walls and ceilings with dry bread crust, to be followed if possible with cloth dampened with sublimate solution. All woodwork, floors, ironwork and glass, likewise all else that may be washed, to be "gone over" thoroughly with sublimate solution. When this is done rooms are to be fumigated by means of sulphur candles, according to the directions that accompany the same.

All rooms in basement of rear buildings, cold-air boxes and flues leading to sub-junior and intermediate rooms, should likewise be fumigated with sulphur candles.

I hereby make requisition for the needed disinfectants. Directions for their use accompany the same.

I again call your attention to the hospital, and demand that one ward be at once made ready for occupancy. No case of erysipelas or any other contagious disease should be treated in the main building.

I deem it my duty to condemn the location of the mattress-shop. It should be at once removed to some other part of the building.

I also report to you that I found the cold-air box closed, and the radiators for heating said recitation rooms were supplied with only the foul air of the mattress-shop.

All of which is respectfully submitted,

C. F. McCARTHY, M. D.,

*Attending Physician.*

Before the above directions were observed, Edward Von Lichenstein, another pupil of the sub-junior department, was also down with erysipelas. He was at once removed to the hospital, and there remained until discharged, January 7.

These two cases were malignant, Miss Coffin's assuming a critical aspect during its course.



The directions were finally carried out, and also a new air box to the outer wall was built, doing away with the one from the inner court. No more cases of erysipelas or other contagious disease occurred among the pupils during the remainder of the school year.

David Amos was confined to hospital with cerebro-spinal meningitis from January 23 to February 12. He was sent home February 24, having fully recovered.

Miss Thwing, daughter of the housekeeper, while on a visit to the school, was taken ill with measles on February 23. She was removed to the hospital and returned to her home in a few days.

During the month of October the school was visited with an epidemic of measles. On September 20, James Mullen was taken down, and though at once removed to the hospital and strictly quarantined, nineteen of twenty-eight pupils who had never had measles were infected. They were promptly removed to hospital, placed under care of nurse and in a few days resumed their studies.

October 19, Samuel Fay was sent to the hospital with scarlet fever.

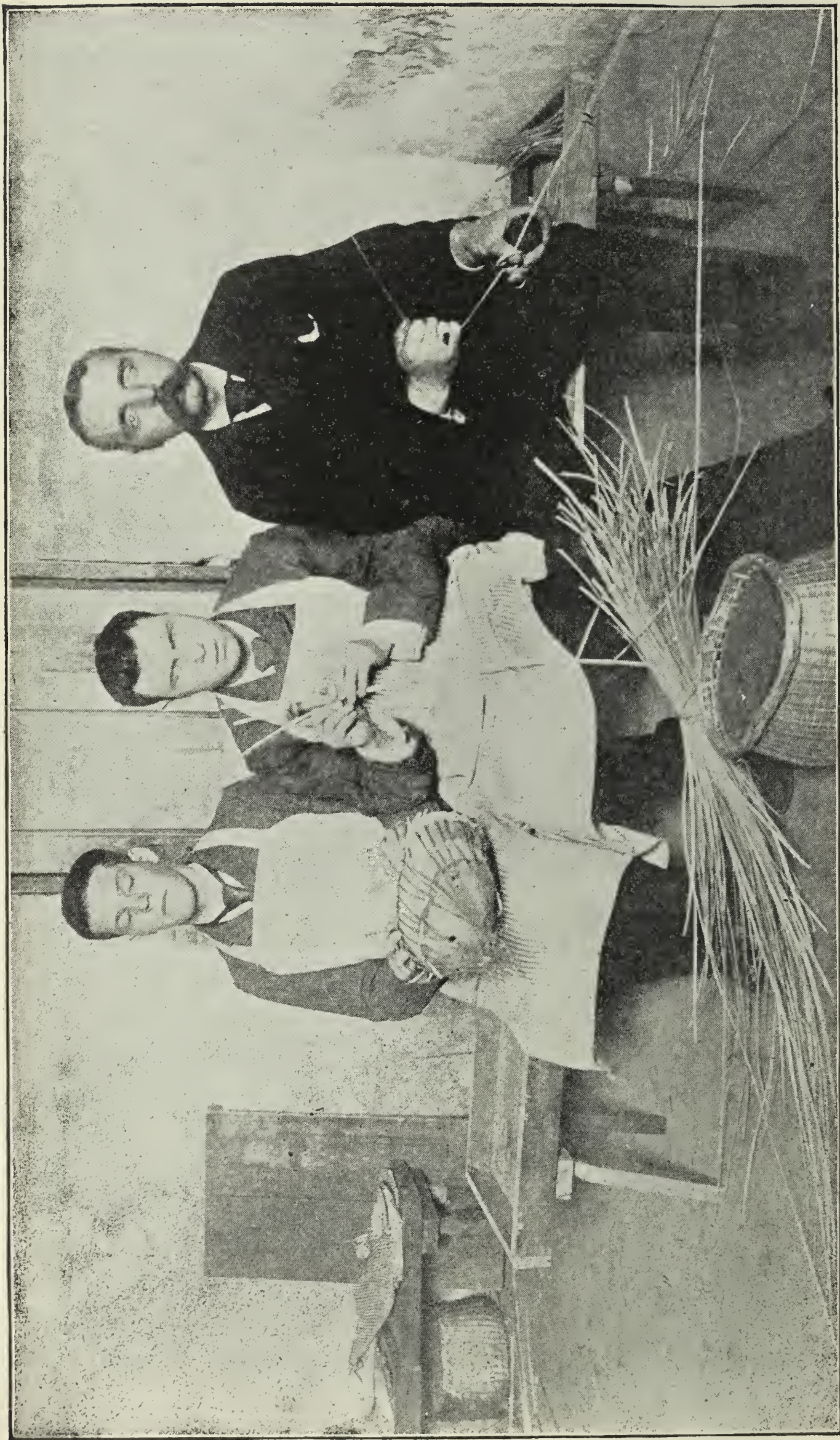
November 15, Samuel Bohner was likewise taken to the hospital sick with same disease. These cases were of a mild nature, and after four weeks' quarantine the pupils were able to resume their work.

Allow me right here to dwell upon these cases of contagious disease, and to suggest possible prophylactic measures against the recurrence of the same.

These four cases of erysipelas, occurring among persons engaged in the sub-junior and intermediate departments, which are heated by indirect radiation, the steam coils being situated in the mattress shop, leads me to believe the source of contagion to be there. Quantities of corn husk and horse hair, brought from no one knows where, were handled in this department. The process necessitated the "teasing" or tearing apart of the fibre by a machine. Old mattresses were also taken apart and the hair run through the same process, before being made up anew. Thus

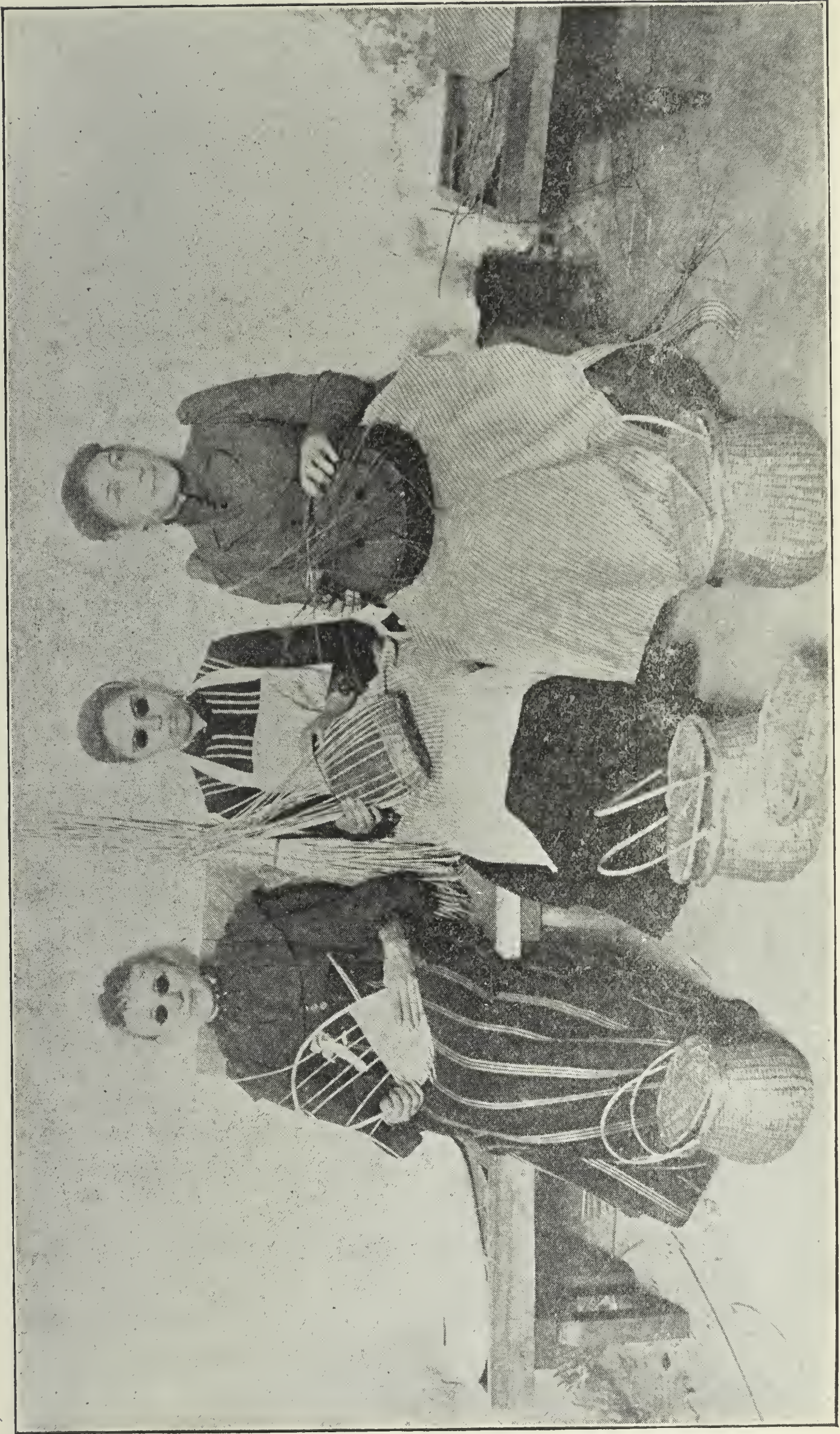






BASKET-MAKING.





WILLOW-WORK.





impurities and dust were scattered, and the cold-air box being closed, were sucked into the coil boxes, passing up into the recitation rooms for the children to breathe. No wonder we had erysipelas. To me it seems horribly unsanitary to use this material to make bedding, without thoroughly cleansing and disinfecting it. And to take mattresses that have been used for years, and to make them up again, without some process of cleaning, must be criminal from a sanitary standpoint. Yet this has been done since the foundation of the school.

I respectfully recommend that a steam box or small room be provided for the mattress department, in which all raw material as well as old, be subjected to dry steam, and thus thoroughly disinfected before being made into bedding for the school. In the plans for an industrial building, I think this is worthy of consideration.

The epidemic of measles can be directly traced. James Mullen was exposed before he left home, and a few days after his arrival here was broken out with the disease.

In other State institutions, all arrivals are thoroughly bathed, their personal clothing disinfected and set aside, and a garb or uniform donned, thereby precluding contagion or infection from without. It is impossible to take like measures here.

Many of the pupils are of indigent parents, and come from homes doubtlessly unsanitary in condition. These parents anxiously await the return of their helpless offspring to the school, and I am afraid all are not conscientious, and keep them home, when there is or has been contagious disease in the family.

I would respectfully suggest that a certificate form be sent to all accepted applicants; the same to be signed by the local registrar of vital statistics, stating that the applicant has not had any contagious disease, nor to the registrar's knowledge, been exposed to contagion, during the past six weeks. This would not entail much trouble, and might save us from a serious and expensive epidemic.

Though I have made diligent search, it has been impossible to



trace the contagion of the scarlet fever cases. The first case was fully convalescent and yet in strict quarantine at the hospital, when the second case occurred, so the source of infection must have been the same. We certainly have a possible source in the milk supply. From eighty to 100 quarts of milk are daily supplied by two milk dealers and in the case of one I am sure that at times the milk is gathered from the surrounding country. This is decidedly wrong. And in order to do away with this possible avenue of infection, as well as the liability of infection with germs of tuberculosis, I would advise the following:

That dairymen be required to furnish milk from their own herd of cows. That all such cattle be inspected by a State health officer and certified to as being in good healthy condition.

That dairy stables as well as methods of handling milk and caring for utensils be subject to inspection of school physician.

And finally that all milk be pasteurized by subjecting it to temperature of 160 to 170 degrees, or sterilized by being heated to temperature to 210 degrees, then placed in suitable receptacles at a temperature of forty degrees. I learn that this process is being introduced into all State hospitals for the insane. A steam sterilizer for 100 quarts would not be expensive, and it is my earnest hope you may deem it advisable to make this improvement.

In connection with the subject of disease prevention, I think it necessary the quarantine at the hospital be made more effectual; and to accomplish this I would advise a telephone line from the hospital to the matron's rooms, and the putting in of a gas range.

These measures, with the introduction of steam heat, would dispense with the attendance of a man, and remove another possible source of infection.

It is my duty to again request the purchase of filters for the school. I have carefully examined the Pasteur-Chamberlain filter, and would recommend the buying of several, that we may have pure drinking water. The present crude system of storage and dispensing is objectionable. You may deem I am prophylactically too careful in recommending the use of individual drinking cups, but did you but know the large percentage of our cases

of blindness that are directly traceable to a specific taint, communicable to the healthy, you would agree there should be no common drinking cup in the school for the blind. This is no visionary or impracticable scheme of mine. The board of health of New York city has recommended its adoption for the public schools. In conversation with medical men, I have found approval of this plan, especially from former attending physicians to the school for the blind.

During the past year the following improvements have been made in my department:

The physician's office has been refitted and the shelves are now furnished with labeled druggist bottles. A minor surgical case of instruments, stethoscope, laryngoscope and other necessary instruments for examination and treatment of pupils have been purchased, and are kept in a neat glass instrument case. A large tablet case has also been placed in the office.

Defects in the sewage plant have been remedied and the process of treating the sewage with chemicals inaugurated last year is now working satisfactorily.

Thermometers have been placed in all class-rooms, and teachers are required to keep record of temperature.

Gas is now being placed in each dormitory, and I am sure it will have a moral effect upon the pupils that will improve the tone of the school as well as render the rooms more cheerful and homelike. A large percentage of our pupils appreciate light and this innovation has thus far given great satisfaction.

All kitchen refuse is required to be daily removed from the premises.

One of the main refrigerators has been rebuilt.

There have been a number of improvements in the regulations pertaining to personal sanitation and care of body.

In addition to recommendations already made I would respectfully advise:

That the physician's office be removed to one of the platform rooms in the center of main building. Its present location is



objectionable, being on the girls' side of the building. Its only window opens into the central court, and there is not sufficient light for examination of pupils. Until the past eight years the physician's office was in the center of the main building.

I would advise that a steam box be placed in the hospital, that bed and personal clothing may be properly disinfected before removal to laundry. There is also need of new curtains for all the windows, and gas fixtures in the new part of hospital.

I would advise that the vicinity of all cold-air box entrances be either sodded or paved. This would lessen the amount of dust and impurities that are drawn into the coils.

It pleases me much to be able to inform you that Frank Hackett, who was operated on for appendicitis, July 2 of last year, has returned to the school entirely recovered.

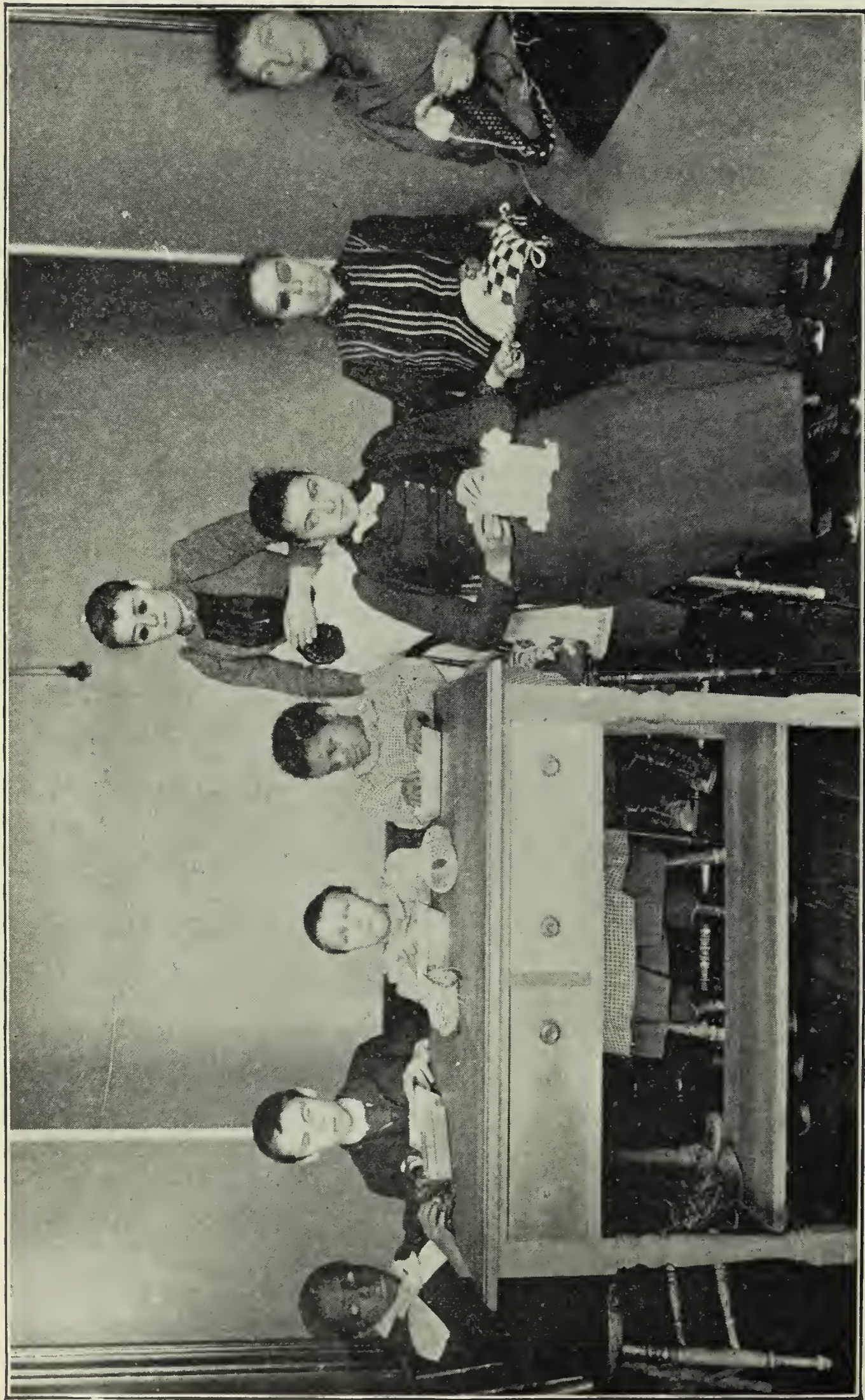
This communication would not be complete did I not express my views in regard to the urgent and pressing need of new buildings.

Your industrial department's location, in the basement, is a standing menace to the health of the school. Your recitation rooms are overcrowded, being far too small for the number of pupils to be accommodated. Your tuning department is unsanitary in location, being under the toilet rooms and closets. And there is need of a sweeping innovation in the matter of bath-rooms, closets and lavatories. A separate building should be devoted to these purposes, at a distance from the main building, though connected by corridors. Lavatories and bath-rooms should be in a separate apartment, and not with the closets and urinals, as at present.

And of all measures designed for improvement, there is a crying need of a gymnasium or hall for exercise. Look at their pale faces, their stunted and sometimes deformed bodies! Kept in a corner at home, scarcely allowed to have God's sun shine upon them, with bare ability to walk — their lives have been so restricted — many of them come to us! Are we to continue the same process, and send them out into the world more helpless than ever, having sapped their little vitality within these brick







BEAD WORK.





MATTRESS-MAKING.





walls? Or rather shall we deem it our bounden duty to correct these physical defects, nourish these weakened constitutions and build up a body, self-reliant and competent, that it has muscles and bones to exercise, and a skin to glow with the zeal of contest and action. The blind should have a good, broad hall, where they may exercise when the weather is inclement; and where the sunshine may pour down upon them. For it is a mistaken idea that the blind do not need the sunshine and light. They should have bowling alleys, a large plunge bath, trapezes, bars — in fact, a full line of gymnasium paraphernalia. Until a building so equipped, and under the direction of a competent instructor of physical exercise, stands upon the hill, the school for the blind will not be doing its work, but will rather be shirking its duty and its responsibility.

In conclusion, allow me to thank Superintendent Fuller and the executive committee for their kindness and support in carrying out improvements and innovations in my department. Thanks are also due the matron, Mrs. Ashley, and the assistant matrons, Miss Anderson and Miss Chick, for their faithful attention to the needs of the children, and their care of them when sick.

All of which is respectfully submitted.

CORNELIUS F. McCARTHY,  
*Attending Physician.*

Pupils in attendance during the school year closing June 19, 1895:

ALLEGANY COUNTY.

Ida Ames. . . . .	Wellsville.
Janette Radliffe. . . . .	New Salem.

ALBANY COUNTY.

William Bruce. . . . .	Albany.
Joseph Carroll. . . . .	Albany.
Joseph Grace. . . . .	Albany.
John Gotha. . . . .	Albany.
Carrie Brenz . . . . .	Albany.

Viola Contraman. . . . . Albany.  
 Mary McKee. . . . . Albany.

#### BROOME COUNTY.

Charles Hine. . . . . Binghamton.  
 Nellie Hemmingway. . . . . Whitney's Point.  
 Edith Knapp. . . . . Deposit.

#### CAYUGA COUNTY.

Byron Peterson. . . . . Conquest.  
 Angelina Hompe. . . . . Auburn.  
 Lulu Pearl McCrea. . . . . Auburn.

#### CHAUTAUQUA COUNTY.

Harry Hall. . . . . Mayville.  
 Henry Lakin. . . . . Jamestown.  
 Forest Marsh. . . . . Gerry.  
 Fred Wilcox. . . . . Ripley.  
 Bell Ayers. . . . . Fredonia.  
 Emma Gage. . . . . Cherry Creek.

#### CHENANGO COUNTY.

Linn Shoals . . . . . Greene.

#### CLINTON COUNTY.

Edward McAlloon. . . . . Plattsburgh.

#### CHEMUNG COUNTY.

Glenn Wheeler . . . . . Van Etten.

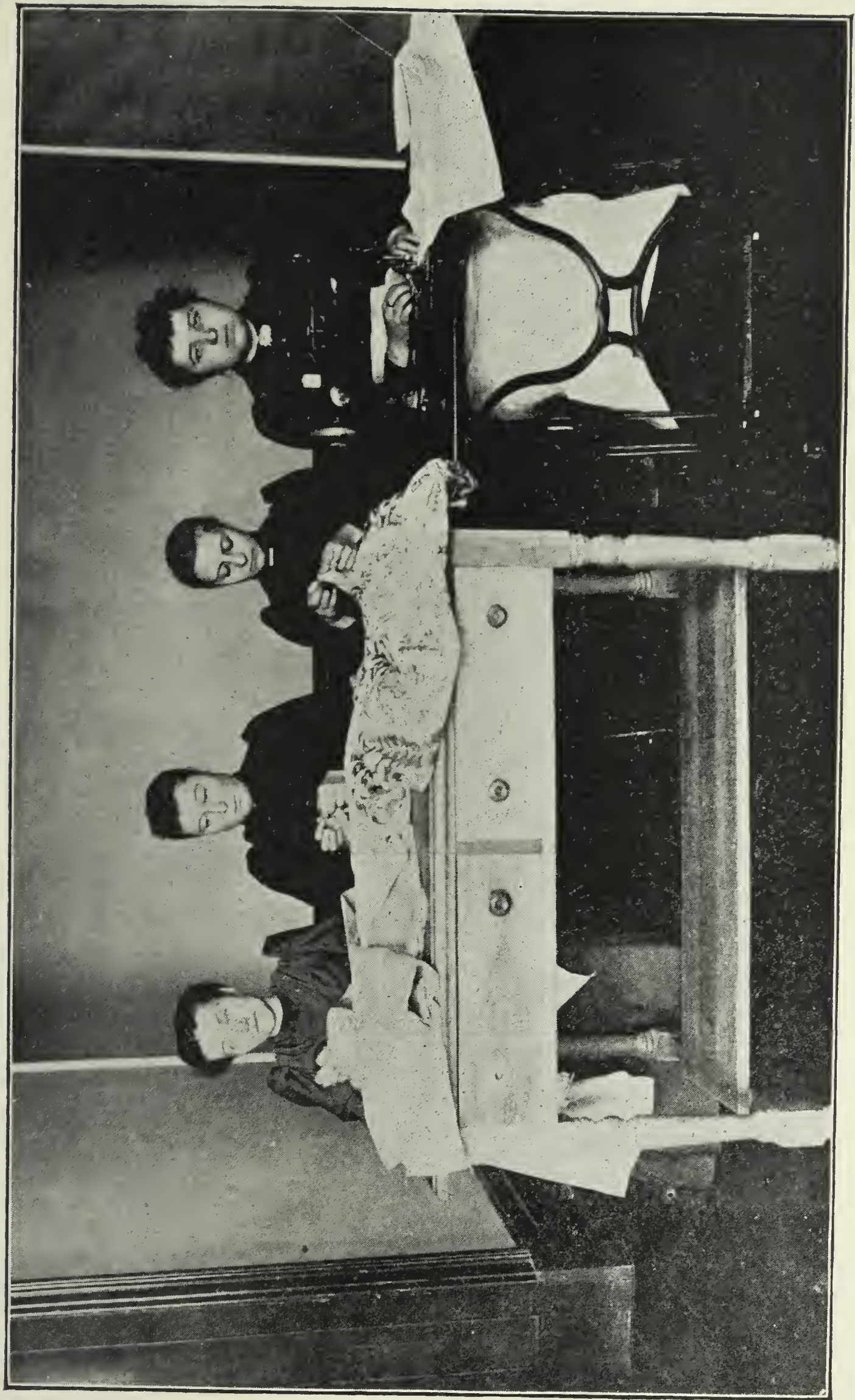
#### CATTARAUGUS COUNTY.

Florence G. Baker. . . . . Olean.

#### DELAWARE COUNTY.

David Amos. . . . . Andes.  
 Alice Holloway. . . . . Meredith.  
 Julia Silvernail. . . . . Pleasant Valley.





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Carrie Baum. . . . .	Wappingers.
Laura Robinson. . . . .	Wappingers.

## ERIE COUNTY.

George Blair. . . . .	Buffalo.
Edward Blessing. . . . .	Buffalo.
Benjamin Bernstein. . . . .	Buffalo.
Thomas Cosgrove. . . . .	Buffalo.
Otis Cook. . . . .	Looneyville.
George Campbell. . . . .	Buffalo.
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George Richardson. . . . .	Buffalo.
Albert Smith. . . . .	Buffalo.
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Edward Von Lichtenstein. . . . .	Buffalo.
Alfred Woods. . . . .	Buffalo.
Louise Blessing. . . , . . . . .	Buffalo.
Maud Christian. . . . .	Buffalo.
Mary Dempsey. . . . .	Buffalo.
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Ella McLennan. . . . .	Buffalo.
Katie Sheehan. . . . .	Buffalo.
Katie Speier. . . . .	Buffalo.

## FULTON COUNTY.

Maud Dovey. . . . .	Johnstown.
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## GENESEE COUNTY.

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Lloyd Kingston. . . . .	Batavia.
Hermon T. Kenyon. . . . .	Indian Falls.
Fred Mackie. . . . .	Batavia.
Leon L. Pratt. . . . .	Pembroke.
Frank Roderick. . . . .	Batavia.
Lizzie Baroni. . . . .	Batavia.
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Hattie Comithier. . . . .	Coxsackie.

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William LaMoitt. . . . .	Watertown.
Leon Marvin. . . . .	Rice's Station.
William Portt. . . . .	Watertown.
Grace Kidder. . . . .	Evans Mills.

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John Fowler. . . . .	Lowville.
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Edward Duffy. . . . .	Moscow.
Thomas Johnson. . . . .	Caledonia.
Jessie Southworth. . . . .	Moscow.
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Samuel H. Fay. . . . .	Rochester.

William Johnson. . . . .	Rochester.
Emmanuel Kinsburg . . . . .	Rochester.
Minnie Goodman . . . . .	Rochester.
Bridget McGivern. . . . .	Rochester.
Lucy Ocumpaugh . . . . .	Rochester.
Bessie Schoeffel. . . . .	Rochester.
Katie Toal . . . . .	Garland.

## MONTGOMERY COUNTY.

Ada Farkell. . . . .	Canajoharie.
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## MADISON COUNTY.

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Arthur B. Jones. . . . .	Nelson.
Lucy Cline. . . . .	Oneida.

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William Kelly. . . . .	Niagara Falls.
George Whitehead. . . . .	Ridge Road.
William Wattengel. . . . .	Niagara Falls.

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Jefferson Hicks. . . . .	Middletown.
Gordon Hicks. . . . .	Middletown.
Marvin Jansen. . . . .	Newburgh.

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Daniel Lewis. . . . .	Cold Spring.
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John Fitzgerald. . . . .	Troy.
James Foy . . . . .	Troy.
John Kennelly . . . . .	Troy.
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## WARREN COUNTY.

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Susan Harrington. . . . . Warrensburgh.

## WAYNE COUNTY.

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## WESTCHESTER COUNTY.

Ella Ingersol. . . . . Peekskill.

## YATES COUNTY.

Agnes Chapman. . . . . Penn Yan.







# STATE OF NEW YORK.

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No. 51.

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## IN ASSEMBLY,

FEBRUARY 10, 1896.

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### MINORITY REPORT

OF THE

COMMISSION TO PROPOSE LEGISLATION FOR CITIES OF  
THE THIRD CLASS.

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STATE OF NEW YORK:

EXECUTIVE CHAMBER,

ALBANY, *February* 10, 1896. }

*To the Legislature:*

I have the honor to transmit herewith the minority report of Commissioner Hannibal Smith, one of the commissioners to prepare charters for cities of the third class, appointed pursuant to the provisions of chapter 1011 of the Laws of 1895:

LEVI P. MORTON.





# R E P O R T.

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*To the Governor :*

Sir.— I herewith submit a minority report from the “ commission to propose legislation for cities of the third class.” There were so many differences from the report of the majority, some in detail and some in principle, that I have drawn my report in the form of “An act for the government of cities of the third class.”

Inasmuch as I signed the majority report generally and approved thereby of the purposes sought to be accomplished and of the same reasons sought for a general charter for cities of this class, it is necessary for me to call attention only to the main points of difference wherein this minority report is distinguished from that of the majority.

In preparing this report the following general principles have governed :

First. That the office of the mayor, the chief executive of the city, should be made an office of increased dignity and power, and yet while giving such increased power and dignity arbitrary features should be avoided.

Second. That inasmuch as the charters of the thirty cities of this class differ widely from each other, particularly in the method whereby public improvements are made, that the largest degree of responsibility consistent with safety and honest administration of city affairs should be placed upon the common council, the direct representatives of the people; and that such common council should be a legislative body with such powers of legislation as will make them able to meet the peculiar conditions of any individual city and yet so limited that no danger will result from the exercise of such powers.

Third. That all expenditures for municipal purposes should be controlled by the common council, the direct representatives of the people, and that except in minor details the common council should have no connection whatsoever with the administration of the affairs of the city or with the letting and execution of contracts; and that the whole of such common council should be elected for two years, so that the public will have the means of ratifying or disapproving at every city election of the actions of the really responsible body in the city.

Fourth. That the administrative work of the city should be accomplished through boards, and that those boards should be so selected as to secure the greatest skill and permanence in purpose.

These principles have not, in my judgment, found adequate or practicable expression in the report of the majority.

Some of the main features of difference between this report and that of the majority are as follows:

First. In both reports the mayor is the appointive power of administrative boards, but under the majority report there is too great power in regard to removals given to the mayor, he being authorized in that report to make such removals, at his own will, without examination and without any opportunity to be heard. This report makes the mayor the appointing power of all boards, excepting the board of education, which is made elective; but vests the power of removal in the common council, upon charges and with opportunity to be heard. Sufficient power and control over municipal officers is given to the mayor in that the veto power is bestowed upon him.

This personal power of removal in the mayor would prevent the best citizens from subjecting themselves to the personal caprice of the city's executive. Under the report of the majority all the administrative boards must become the mere tools of the mayor. Under their scheme the mayor's whole motive might be to build up a personal power through the administrative boards and the large patronage thereof, while under the scheme of this report he could have no motive in making an appointment but that of the public good.



Second. The majority report provides that the members of the common council shall be elected for four years and in such a manner that one-half thereof go out every two years. The common council is the body directly responsible to the people of the city for the proper administration of municipal affairs; it should be possible, therefore, that, as frequently as is consistent, the whole board should be brought to the test of public opinion. Under the majority plan there would never come a time when the actions and policy of the common council could be brought to a complete criticism by the people, for the reason that only one-half of the board is elected at any one election; in my report, therefore, the whole common council is elected at every city election. The work of the common council being legislative, the reason for permanence and continuity of purpose does not apply to it as it does to the administrative boards.

Third. Under the majority report the terms of the officers constituting the several administrative boards expire with the term of the mayor appointing them. The best results in the administration of the affairs of the city can only be accomplished through boards which are permanent and not subject to sudden change, and which can follow a persistent purpose and a continuous plan; this report, therefore, would make the terms of office of all administrative boards five years, so appointed that one member would go out each year, thus securing permanency and that skill which comes with the long acquaintance with public works.

Fourth. Under the majority report the treasurer is elected by the people; in this report the treasurer is appointed. There was serious complaint in many of the thirty cities investigated that taxes and assessments were not efficiently collected; that the treasurer was unwilling or hesitated to exercise the stringent powers conferred upon him, for the reason that he was seeking re-election and was unwilling to create a prejudice against him on account of efficient and thorough action in the collection of taxes, as such prejudice might disparage his re-election. The treasurer should, therefore, be appointed in such a way that his



only motive would be the rigid enforcement of the laws governing his action.

Fifth. In the scheme of the majority the commissioners of education are appointed by the mayor for two years; in the scheme of this report there are nine commissioners of education, whose terms of office are six years each, and so elected that the terms of three expire every two years; thus is secured to this board, which above all others should have it, that skill and efficiency in administration which can only be acquired by experience. If there is one subject as to which the people are more jealous than another, and rightly so, it is upon the question of education and the administration of public schools. The people will never consent to have their educational system placed in the power of one man. The choice of commissioners of education, therefore, should be left to the people; furthermore, while under the scheme of this report the common council is given the power to pass upon the budget of every administrative board, yet, in answer to the jealousy of the people on this subject of education, the ultimate power of determining the amount of money necessary for the proper conduct of the schools is left in the board of education. The board of education is required to submit its budget, as is every other board; the common council has the right to modify that estimate, but this modification must be reported back to the board of education, and if the board of education, by unanimous vote, decide that the amount of their first estimate is necessary for the proper conduct of the schools, then it is the duty of the common council to raise that amount so determined. This plan protects the public from extravagance on the part of the board of education and at the same time preserves the efficiency of that board, for it is not reasonable to suppose that the entire board of education could be brought to the support of estimates which were not reasonably necessary for the proper conduct of the schools.

Sixth. The scheme of the majority attempts to define the amount that shall be paid by the city and by adjoining owners and property benefited for local improvements, especially for sewers. This subject, under certain restrictions, I would leave

entirely to the determination of the common council in each city. Few cities of the third class agree upon the proportion of expense for local improvements which should be paid by the city and the proportion which should be paid by the property-owners; it would be unjust, therefore, to compel each city now to conform to an arbitrary system. While good policy demands that the method of the levy and collection of assessments for local improvements should be fixed by the Legislature, yet justice requires that each city be allowed to continue in the future as in the past, if its common council shall so determine, so that the people who have already paid for local improvements adjoining their property may not now be compelled to pay for improvements upon the property of others, and that property now unimproved may have the same privileges to obtain such improvement as have been given to other property in the city.

Seventh. In the scheme of the majority report the water-works are to be in the control of the board of public works; in the scheme of this report water boards are created or continued. Water-works and what has heretofore been known as public works are two very important subjects, distinct in most of their features. The efficiency of administrative boards is largely dependent upon the unity and simplicity of the subjects under their charge. The members of these boards are to serve without compensation; that the best citizens may be induced to serve, they must not be overwhelmed with a multiplicity of duties. The administration of water-works involves large duties and requires marked intelligence and imposes upon one body of men all the work and supervision that efficiency in that work permits. This is equally true of the public works. The uniting of these two boards in one throws upon one small body of men more duties and responsibilities and supervision than are consistent with efficient administration. Single, general subjects will concentrate attention and tend to secure skill and efficiency. In this scheme the only motive that suggested to the majority the uniting of these two boards has been met in this report by the provision for a joint meeting of the two boards, in certain classes of improvements,



where their separate action might result in inconvenience to the public.

Eighth. The scheme of the majority provides for one police commissioner. The affairs of the police in the scheme of this report and all other matters immediately connected with public safety are committed to a board of safety, consisting of five members. It is unwise for cities of the third class to have such large powers placed in the hands of one man.

Ninth. The report has followed very closely the plan of organization of the city court of Utica, which, after a careful examination of all organizations of city courts wherever established in this State, has been deemed to meet most thoroughly the purposes required. The argument for a city court is unanswerable.

Tenth. The majority report provides that their act shall go into effect in such manner that it would not be in full operation for a number of years to come. The scheme of this report provides that its uniform system of municipal government shall go into effect as completely as possible January 1, 1898. There is no reason against this or for delay by reason of existing municipal office holders. The Legislature can make and unmake office tenure in municipalities. No office holder has property rights in his office. If the scheme is to be adopted let it go into effect as an entirety.

Eleventh. It can not be too strongly urged that a uniform system of government for cities of the third class be adopted, but the greatest of care and consideration should be given to every provision of law in reference to such a system, to the end that the municipalities should be protected in what has been accomplished in the past and that efficiency and freedom from corruption in municipal administration should be secured.

There are other important differences too numerous for special mention from the report of the majority; in fact, in every title excepting that on the levy and collection of taxes there are important differences which are deemed to make the charter proposed effective and complete.



I believe that the enactment into law of the majority report would render possible great evils if not corruption in the administration of municipal affairs. I feel, and verily believe, that the enactment into law of the provisions embodied in this minority report would go far towards avoiding such evils.

Respectfully submitted.

HANNIBAL SMITH,

*Of the Commission to Propose Legislation for Cities of the Third Class.*

Dated February 1, 1896.

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AN ACT for the government of the cities of the third class.

*The People of the State of New York, represented in Senate and Assembly, do enact as follows:*

### Definitions.

Section 1. This act shall be known as "An act for the government of cities of the third class." The words "city" and "cities" whenever occurring in this act mean "city" or "cities" of the third class.

### TITLE I.

#### Wards and Boundaries.

Section 2. The boundaries and wards of all cities shall be as now or as hereafter established by law.

### TITLE II.

#### Of the Election and Appointment of City Officers.

Section 3. The act chapter six hundred and eighty of the Laws of eighteen hundred and ninety-two, known as the election law, and acts amendatory thereof, and the act chapter seven hundred and sixty-four, laws of eighteen hundred and ninety-four, and acts amendatory thereof, shall apply to and govern all the elections in the cities.

§ 4. The common council, so far as pertains to the election of city officers, shall be the board of canvassers of the election

returns and the city clerk, if present, shall act as secretary of the board, and if he be not present then some person shall be appointed by the board to act as secretary thereof. The board shall ascertain and certify the results of the election; and all the provisions of the election law as amended, as to the powers, duties and procedure of county boards of canvassers and of their secretaries, shall, so far as pertinent, be applicable to said board of canvassers and shall regulate and control it in the discharge of its duties; and any error in its determination or statements may be corrected in the manner and by the procedure provided by the general elections law.

§ 5. The first election in the cities under this act shall be held on the Tuesday next succeeding the first Monday in November, eighteen hundred and ninety-seven, and thereafter all city elections shall be held on the day of the general election in every odd numbered year.

§ 6. The elective officers of every city shall be a mayor, a president of the common council, a city judge, a special city judge, twice as many aldermen as the city shall have wards, nine commissioners of education, supervisors and such other officers not possessing powers and functions of officers provided for by this act, as are now or may be hereafter provided by law. The mayor, the president of the common council, city judge, special city judge, commissioners of education and as many aldermen as the city shall have wards, shall be elected by the city at large; one supervisor and one alderman shall be elected by each ward of the city. All other city officers, except as hereinafter provided, shall be appointed by the mayor.

§ 7. All elective officers of every city except city judge, special city judge and commissioners of education, shall hold office for a period of two years. The term of office shall begin January first, of the year succeeding their election and terminate on December thirty-first of the second year succeeding their election.

§ 8. The following officers shall be appointed by the mayor: A city attorney, a city treasurer, a city clerk, a city assessor, a city sealer of weights and measures, five commissioners of pub-



lic works, five water commissioners, five health commissioners, five police commissioners, five commissioners of charity, and all other nonelective officers not possessing the powers or functions of any officer provided for by this act, as provided by law. All officers appointed by the mayor shall be removable on charges after hearing by the common council as hereinafter provided.

§ 9. The governor of the state may remove the mayor from office at any time upon presentment of charges against him, and after opportunity to him to defend. All pertinent provisions of law in respect to removal from office of sheriffs shall apply to such removal of a mayor.

§ 10. The city judge and special city judge and commissioners of education shall hold office for six years; their respective terms of office to commence January first, succeeding their respective elections and terminating six years therefrom upon the qualification of their respective successors. At the first election under this act three commissioners of education shall be elected for a term of two years, three for a term of four years and three for a term of six years; and at each subsequent city election three commissioners shall be elected for a term of six years. At any regular city election vacancies in the board of education shall be filled for the residue of the unexpired term.

§ 11. If a vacancy happens in an elective office, the common council, except as herein otherwise specifically provided, shall fill the same by appointment until the first day of January next succeeding the next city election.

§ 12. The terms of office of each officer appointed by the mayor under this act, except as otherwise herein specifically provided, shall expire with the term of the mayor appointing such officer.

§ 13. The following officers appointed by the mayor shall hold office for the period of five years, to wit: Five commissioners constituting the board of public works and five commissioners constituting the board of water works, five health commissioners constituting the board of health, five police commissioners constituting the police board, five commissioners of charity constituting the



board of charity. Upon the first appointment under this act the commissioners of each of said boards shall be appointed as follows: One commissioner in each board for one year, one for two years, one for three years, one for four years and one for five years; and all subsequent appointments of said commissioners shall be for a period of five years, except when an appointment is made to fill a vacancy.

§ 14. If any vacancy shall occur in any appointive office, the same shall be filled for the unexpired term by appointment by the mayor.

§ 15. Every person elected or appointed to any office in any city shall, before assuming the same, take the oath of office prescribed by the constitution of this state before some officer authorized by law to take affidavits, and file the same in the office of the city clerk, and every person who shall omit to take and file his oath of office within twenty days after personal notice in writing from the city clerk of his election or appointment, shall be deemed to have declined the office, in which case the office shall be deemed vacant.

§ 16. Every person elected or appointed to any office under this act shall be an elector in and resident of the city wherein he is elected or appointed; and every person elected by a ward shall be a resident thereof, and the removal of any officer of a city therefrom or of any officer elected by a ward from the ward wherein he shall have been elected, shall create a vacancy in his office.

§ 17. No person shall hold two city offices at the same time in any city, except as herein otherwise provided.

§ 18. Upon the appointment of any officer by the mayor he shall forthwith file a certificate of such appointment with the city clerk. The city clerk shall immediately after each election or appointment give notice in writing to each person of his election or appointment as the case may be.

## TITLE III.

**Of the Powers and Duties of the City Officers.**

Section 19. The mayor of the city shall be the chief executive officer thereof. He shall have and exercise all the powers conferred upon him by this act and by any special law hereinafter enacted. It shall be his duty to enforce all the laws governing the city and the ordinances and resolutions passed by the common council. He shall have the right to veto all resolutions, ordinances and acts of the common council within ten days after their passage, except such as relate to the organization of the common council and procedure therein and the choice of officers herein provided to be made by the common council. He may likewise veto any separate items of any ordinance or resolution providing for the expenditure of money or any separate portion of any such ordinance or resolution relating to a separate subject. He shall, within ten days, transmit to the common council in writing his veto and his reasons therefor by filing the same with the city clerk. The common council may, at its next regular meeting or at a special meeting called within ten days after such veto has been filed, as aforesaid, pass such ordinance or resolution over his veto by a vote of two-thirds of all the members thereof in office. It shall be his duty, from time to time, as the public interests require, to communicate with the common council orally or in writing upon any subject of which said council has jurisdiction. It shall also be his duty, and he shall have power, to make all necessary investigations into the conduct of all officers of the city and of all departments thereof; he may compel the attendance of witnesses and the production of books and papers at such investigation, and his subpoena thereto shall have the force and effect of a subpoena issued out of the supreme court.

§ 20. The president of the common council shall preside at its meetings and shall have a casting vote on all questions arising therein; in case of the temporary absence or disability of the mayor, he shall be acting mayor of the city, but without the power to appoint, and if a vacancy in the office of the mayor shall



occur, he shall be the mayor of the city for the residue of the mayor's term of office, in which case the common council shall elect one of its own members president of the common council for the residue of the term. The president of the common council shall receive such compensation by the day for services actually performed by him as a member of the board of audit and the board of review of assessments, as the common council shall determine.

§ 21. The treasurer shall be the fiscal officer of the city, he shall be collector of all taxes, assessments and water rates in the city, shall perform the duties, possess all the powers and authority, and be subject to the liabilities and obligations prescribed by law for town collectors, subject to the provisions of this act, and all taxes, water rates and assessments within the limits of the city shall be received or collected by him; and he shall receive, keep and disburse all moneys belonging to the city in which he shall be appointed, and to every department thereof. It shall be his duty to collect such taxes, assessments and water rates with due diligence, and any neglect in so doing shall be cause for his removal from office.

§ 22. The mayor, the president of the common council, and the city clerk, shall constitute a board of audit, of which the mayor shall be chairman. All pecuniary claims and demands upon contract against the city and every department thereof shall, before the same are paid, be referred to the board of audit, which shall examine into the correctness of the same and of the items thereof, as to the amount, and as to the value, quantity and extent of all material furnished and of all labor and services performed for such city or department. Such examination shall be made as speedily as practicable, and the result thereof reported with the recommendation of the board to the common council, in case of claims arising therefrom, and in other cases to the department in which the same originated. The board of audit shall have power and it shall be its duty to investigate and audit the accounts of every department of the city government, shall have access to all books and accounts of all the departments and of all officers



of the city, and may compel the attendants of witnesses and the production of papers before it by subpoena, non-compliance with which shall be subject to such penalty as the common council may prescribe by ordinance. And member of said board may administer the oath to witnesses, and any intentional false swearing as to a material fact, by any witness under examination by the board of audit, shall be perjury. It shall, from time to time, make such reports to the common council as to the accounts and expenditures of the several officers and departments of the city government as it shall deem expedient. No bill or claim against the city shall be paid or allowed before the board of audit shall have reported thereon as herein provided, and no action shall be brought thereon until forty days after presentation thereof.

§ 23. The city assessor shall have all the powers and perform all the duties conferred and imposed upon town assessors by the revised statutes and all other general statutes of this state, except as otherwise provided by law; and he shall have power to make assessments for all local improvements in accordance with the provisions of this act and the ordinances of the city. He shall be a freeholder in the city for which he shall be appointed.

§ 24. The city attorney shall be the official legal adviser of the mayor, the common council, and all the boards and other officers of the city; he shall prosecute and defend all actions or proceedings brought by or against the city or by or against any of its officers as such. He shall, whenever the mayor or city judge shall so direct, represent the city in all proceedings and prosecutions in the city court for the violation of any ordinance of the city. He shall pay over all moneys received by him for the city without delay to the city treasurer.

§ 25. The president of the common council, city attorney and the assessor, shall be a board of review of all assessments and shall have all the powers conferred and be subject to all the duties imposed by law upon town assessors sitting in review of their assessments. It shall be the duty of the assessor to make out

the assessment-rolls according to the determination of the board of review of assessments.

§ 26. The city clerk shall keep the city seal and be custodian of all papers and records belonging to the city, and to any department thereof; he shall act as clerk of the council and the various administrative boards of the city, and also of the city court. His office is hereby declared a town clerk's office, for the purpose of depositing and filing therein all books and papers required by law to be filed in a town clerk's office, and he shall possess all the powers, and discharge all the duties of a town clerk not inconsistent with this act. He shall keep an accurate account of all moneys received by him as clerk, and upon the receipt thereof pay the same over to the treasurer, take his receipt therefor and file the same in his office. He shall also keep such accounts of the city as the common council shall direct.

§ 27. The city clerk may appoint as many deputy clerks as the common council may, by resolution, authorize; such deputy clerks shall perform such duties of the city clerk as he may direct.

§ 28. All the papers and records kept and filed in the office of the city clerk shall, during office hours be open to inspection of any citizen or taxpayer of the city.

§ 29. It shall be the duty of the aldermen to attend all meetings of the common council and of the committees thereof to which they respectively belong.

§ 30. No officer of the city or any department thereof shall in any manner be interested, directly or indirectly, in any contract to which the city or any department thereof shall be a party, which he as such officer may have a voice in authorizing, for the sale or hire of any property, merchandise or materials or for furnishing or performing any work, labor or service, except in respect of his own compensation from the city or a department thereof, or for the granting of any franchise or privilege; and no officer elected or appointed shall receive any perquisite, emolument, fee or compensation, except his salary or pay from the city



or a department thereof, for any act done or service rendered by him in his official capacity. Nor shall he accept or receive any sum of money or other valuable thing, fee or commission upon or derive any advantage from the sale or hiring of any property to or by the city or any department thereof. The violation of any provision of this section shall be a misdemeanor.

§ 31. The city clerk, the chairman of boards created by this act, the city treasurer and any other disbursing officer required so to do by the common council, shall severally, before assuming their offices, execute a bond to the city in such sums as the common council shall direct and with such sureties as the mayor shall approve conditioned for the faithful performance of the duties of their respective offices and that they will properly apply and account for all moneys and other property received by them respectively. All bonds given by such officers shall be filed and recorded in the office of the city clerk, and also recorded in the office of the clerk of the county wherein the city is situated, in a book to be kept for the purpose. The neglect to execute and file an official bond as above provided by any officer required so to do prior to the commencement of his term of office shall create a vacancy in such office. In all cases in which a bond is required from any officer by the provisions of this act, the sureties therein shall justify to an amount which shall be in the aggregate twice the penalty of such bond.

#### TITLE IV.

##### Of the Powers and Duties of the Common Council.

Section 32. The aldermen of the city shall constitute the common council, and the president of the common council shall be its presiding officer.

§ 33. The powers of the common council shall be legislative only, except as otherwise provided by this act and any other provision of law not inconsistent therewith. The common council shall have the power to pass any ordinance or resolution not repugnant to the constitution and laws of this state, and



not prohibited herein, for any local purpose pertaining to the government of the city, the management of its business, the preservation of the order, peace and health, the safety and the welfare of the city and the inhabitants thereof, and shall have such powers of legislation, by ordinance or resolution, as are conferred upon it by this act or by any special law enacted for the city.

§ 34. The common council shall have the management and control of the finances and of all the property, real and personal, belonging to the city, except as otherwise provided by this act, or by any other provision of law not inconsistent therewith.

§ 35. The common council shall have power to enforce obedience to all the ordinances passed by it, by ordaining fixed penalties for every violation thereof, not exceeding a fine of fifty dollars for any one offense, or imprisonment in the city lock up for not more than thirty days in case the fine is not paid.

§ 36. The common council shall have the power to fix and change the salaries of all officers of the city not otherwise provided by law, but every such salary shall be fixed by resolution before the beginning of the term of office to which it belongs, and shall not be increased or diminished during the continuance of such term of office excepting the salaries of all officers to be elected at the first election held under this act, and of all officers to be appointed by the first mayor to be elected under this act shall be fixed, according to the provisions of this section, by the common council during the month of January, eighteen hundred and ninety-eight.

§ 37. The common council shall have power by ordinance to regulate the use of locomotive engines, to regulate the speed of running trains on any portion of any railroad within the city; to require any railroad company to keep a flagman or gates at any railroad crossing in any public street, and to prescribe the penalty for the violation of such ordinances not to exceed fifty dollars for each violation.

§ 38. The common council shall have the power to prescribe

by ordinance the mode and manner of assessments for all local improvements, except as herein specifically provided.

§ 39. The common council shall have the power to determine the amount of expenditures, each year, to be made by any administrative board, except as herein otherwise provided.

§ 40. The common council shall have the power to try any appointive officer of a city upon written charges preferred and served upon the officer charged, together with a notice of the time for the hearing and trial of the charge, and it shall have the power to take evidence in relation to the charge, and it shall be the duty of the common council after due hearing, either to acquit or convict the party charged according to the evidence and upon conviction by a majority vote of all the members of the common council, the party charged shall be either censured or removed from office, and the vote of the common council shall be entered by the yeas and nays by the city clerk in the journal.

§ 41. The common council shall have power to determine and prescribe the rules of its procedure, and to compel the attendance of absent members. A majority of the members of the common council shall constitute a quorum. For this purpose the president of the common council shall be deemed a member thereof.

§ 42. The mayor, the president of the common council, or a majority of its members, may call a special meeting by causing a written notice thereof, specifying the business of the meeting, to be served by the city clerk upon each member personally, or by mail, directed to his place of residence or place of business at least twenty-four hours before the time of such meeting.

§ 43. No member or committee of the common council shall have power to employ any person, incur any expense or purchase any materials for or on behalf of the city or any of its officers, boards or departments, except as expressly provided in this act.

§ 44. Every ordinance of the common council shall, immediately upon its enrollment and signature by the clerk and president, be presented by the clerk to the mayor. If he approves it, he shall sign it and return it to the clerk, and it shall take effect. If he neglects to approve, sign and



return it to the clerk within ten days after receiving it, and he does not disapprove it within that time, as herein provided, then it shall take effect as if he had approved and signed it. If he disapproves it, he shall, within the same time, return it to the clerk with his objections in writing, and the clerk shall present the same with such objections to the common council at its next regular meeting; or at a special meeting called to consider the same, within ten days after such filing; and then the common council shall reconsider the same, and unless two-thirds of all the members of the common council, and if a greater number of members was necessary, according to the provisions of this act, for the original passage of the ordinance, then as many members as were requisite for the original passage of the ordinance, shall vote to pass the ordinance, it shall not take effect; but if the requisite number of members so vote, then the ordinance shall take effect as if approved and signed by the mayor. The city clerk shall, upon its enactment, cause every ordinance to be published in such paper or papers and for such time as the common council shall by resolution provide.

§ 45. Every ordinance shall, within a reasonable time after it has become a law as herein provided, be recorded in a book kept for that purpose by the clerk. Such record shall include the signature of the president, attestation of the clerk and the mayor's written approval, or in case of his disapproval, a memorandum of its passage over his veto, or in case the ordinance took effect because he failed to approve or disapprove and return it within ten days, then a memorandum to that effect. Such record, or a certified copy thereof, shall be presumptive evidence of the passage of any ordinance in any court.

§ 46. No ordinance shall be passed by the common council on the same day in which it is introduced, except by unanimous consent, and no appropriation of any money shall be made for any purpose, except by an ordinance or resolution passed by two-thirds of all the members, specifying by items the amount thereof and the department or specific purpose for which the appropriation is made; and no resolution or ordinance shall be passed, mak-



ing or authorizing a sale or lease of city real estate, or of any franchise belonging to or under the control of the city, except by a vote of three-fourths of all the members of the common council; and in case of the sale of real estate, or the sale or lease of a franchise, the ordinance must provide for a disposition, under proper regulations, for the protection of the city, at public auction, after public notice, to the highest bidder.

§ 47. Every city may maintain an action to restrain by injunction, the violations of any ordinance of the common council, notwithstanding such ordinance may provide a penalty for such violation.

§ 48. Whenever an executive or administrative function shall be required to be performed by any ordinance of the common council, the same shall be performed by the proper executive or administrative officer or department, to be designated in the ordinance, and in case no such designation be made, the mayor shall make the same.

§ 49. The common council may, by ordinances, not inconsistent with the provisions of this act, or other laws of the state, regulate the powers and duties of any city officer; and it shall have power to investigate all city officers and departments, shall have access to all records and papers kept by any city officer or department, and shall have power to compel the attendance of witnesses and the production of books, papers and other evidence, at any meeting of the common council or of any committee thereof, and for that purpose may issue subpoenas signed by its president. The common council shall also have power to provide for the enforcement by ordinance, of any regulation of any administrative board for the conduct of the affairs committed to said board.

## TITLE V.

### Of the Department of Public Works.

Section 50. The commissioners of public works, appointed as hereinbefore provided, constitute the board of public works. They shall convene as soon after their appointment as practicable and organize, by the election of one of their number president,

and annually thereafter a president of the board shall be elected in like manner, within the first week of January.

§ 51. The board of public works shall be commissioners of highways in and for the city, and shall have all the powers and perform all the duties of commissioners of highways in towns, except as otherwise provided in this act. The said board is vested with the charge, management, control and maintenance of the bridges, public parks, streets, sidewalks, sewers, public places and public squares within the city, and of all the machinery, tools and implements used in connection therewith, and of lighting and naming the streets.

§ 52. The board of public works shall have the power:

1. To appoint and employ a superintendent of public works, who shall be responsible to the board of public works, and shall, under its direction, have the general supervision and direction of all the public works within the jurisdiction of the board, and also to appoint and employ all the servants necessary for the performance of work done under the direction of the board, including laborers, and to fix the compensation of said laborers.

2. To make rules and regulations for its own government and the government of the superintendent of public works and all servants of the board of public works, and to prescribe their duties.

3. To make all contracts relating to lighting and naming of streets, to construction and repairs of the streets, curbing and sewers and sidewalks, public places and public squares, parks, cleaning of the streets and the removal of dirt therefrom, the grading, paving, repaving and macadamizing of all streets, public places and public squares, and the provision of all materials, machinery, implements and utensils necessary therefor.

4. To construct, lay out, open, extend, alter, widen, straighten or discontinue all streets, sidewalks, sewers, public places, public squares and bridges in the city; but no street shall be discontinued without the consent of all persons owning or interested in lands thereon, except in proceedings as provided by the highway law.



5. To grade, pave, repave or macadamize any street or section of a street or any public place or public square, and to fix and regulate the grade line of streets and sidewalks, and to cause sidewalks and gutters to be made and curbs to be set of such materials as it may direct.

6. To cause all necessary surveys, maps and profiles relating to the streets or sidewalks now existing or which may hereafter exist and relating to any work within its jurisdiction to be made.

7. To regulate the planting, rearing or removal of all trees in the streets, parks, public squares and public places.

8. To improve and ornament the public parks and pleasure grounds and to make regulations in the management and use thereof.

9. To regulate the use of sewers and to grant permits therefor.

§ 53. It shall be the duty of the board, as provided in section one hundred and twenty nine of this act, to make and submit to the common council a written recommendation, with an estimate of the repairs for the succeeding year of the streets, sidewalks and sewers and for keeping the streets clean and other repairs of property under the jurisdiction of the board; and also the plans and character of any new work to be done and the estimated cost thereof; and the common council shall have power to modify or ratify said estimates and proposed works and repairs, and the said board shall be authorized to proceed with the work as ratified or modified by the common council. The said board shall not have the right or power to expend any greater sum than the sum authorized by the common council.

§ 54. All contracts entered into by the board of public works shall be in writing, except for the hiring of laborers, and executed by the president of the board pursuant to resolution of the board, but all contracts so made shall be in the name of the city.

§ 55. The said board shall recommend to the common council the amount of the salary to be paid to the superintendent and its other employes, other than laborers, and upon fixing the salary by the common council the said board of public works



shall choose the superintendent of public works, whose term of office shall be at the pleasure of the board.

§ 56. The amount raised to defray the expenses of maintaining, repairing, paving and cleaning the streets, public places and public squares of the city, and except as otherwise provided in the act for the laying out and alteration of streets, shall be kept in a separate fund, called the "highway fund," and no part of the moneys in said highway fund shall be used for any other purpose than herein provided. The amount raised for the ornamentation, maintenance and improvement of the public parks shall be kept in a separate fund, which shall be called the "park fund," and no portion of said fund shall be used for any other purpose than herein provided. The amount raised for the construction, maintenance and repair of sewers and extension thereof shall be kept in a separate fund called the "sewer fund," and no part of said sewer fund shall be used for any other purpose.

§ 57. The said board of public works shall enter into no contract nor incur any liabilities against the city beyond the amount authorized by the common council.

§ 58. The highway fund, the park fund and sewer fund, set apart for the use of the board of public works, shall be under the control of the board of public works, and shall be paid out by the city treasurer only upon warrants drawn by the said board upon the treasurer and signed by the president of the board of public works and the superintendent thereof, stating in every instance the name of the person or corporation to whom it is payable, the amount thereof, what the payment is for and from what fund it is to be made, with a reference to the resolution authorizing the payment, specifying the date thereof.

§ 59. The board of public works shall have power to acquire for and in the name of the city, by agreement or by appraisal, as herein provided, any lands, easements, privileges, rights and estates necessary for the construction or maintenance of sewers, of the laying out, opening, widening or straightening any street, or for a public market, and may also enter into and upon any

lands for the purpose of making the necessary surveys; provided that in all cases involving an expenditure of more than one thousand dollars, it shall have first submitted to the common council its estimates of the cost of such real estate and that the common council shall have approved the same, and authorized the expenditure proposed, or that the same shall have been approved by the taxpayers at a special election. Whenever any established grade or line of any street, public place or square shall be altered as herein provided, compensation shall be made by the city to the owners of real estate in front of which such alteration shall be made for any damages resulting to such real estate and sustained by such owners by reason thereof. If the grade of any street, public place or square in which a street surface railroad is now or shall be hereafter operated, shall be changed, or if any such street shall be straightened, widened or altered, the railroad corporation operating such street surface railroad shall change this grade and line to conform to such alteration, if required so to do by the board of public works; but unless such railroad corporation shall be legally liable to pay the cost of such change of grade and line of such road, such change shall be at the expense of the city. In case the board of public works can not agree with the owner or owners of said real estate or interest therein, upon the price to be paid therefor, or upon the damages sustained by the alteration of the grade or line of any street as above provided, it may proceed to acquire or perfect title to such land in the manner provided by the Condemnation Law, or to assess such damages in the manner provided in title six, sections seventy-five, seventy-six and seventy-seven of this act for the assessment of damages for lands taken for water-works as the case may require, except in case of real estate necessary for a street, which may be acquired in case of failure of agreement with the owner by proceedings provided therefor separately by this act.

§ 60. The board of public works shall have power as to the city engineer and as to surveying and mapping and as to sewers



and water mains and water pipes as provided in sections eighty-three, eighty-four and eighty-five of this act.

## TITLE VI.

### Of the Department of Water Works.

Section 61. The commissioners of water works appointed as hereinbefore provided, constitute the board of water works. They shall convene as soon after their appointment as practical and organize by the election of one of their number president, and annually thereafter a president of the board shall be elected in like manner within the first week of January.

§ 62. The board of water works is vested with the charge, management and control of the water works, reservoirs, pipes and hydrants, and of all buildings and structures pertaining thereto, and of all machinery, tools, appliances and materials used in connection therewith which may now belong to or hereafter be acquired by the city.

§ 63. The board of water works shall have power:

1. To appoint and employ a superintendent of water works who shall be responsible to the board of water works, and shall have under his direction the general supervision and control of all matters pertaining to the water works of the city, and also to appoint and employ all servants necessary for the performance of the work done under the direction of the board, including laborers, and to fix the compensation of said laborers.

2. To make rules and regulations for its government and the government of the superintendent of water works and of servants of the board of water works and to prescribe their duties.

3. To make all contracts relating to the construction and repairs of water mains, hydrants, conductors, fountains, pumps, reservoirs and buildings for the water works, power houses and machinery, and to make provision for all materials, machinery, implements and utensils necessary therefor.

§ 64. It shall be the duty of the board, as provided in section one hundred and twenty-nine of this act, to make and submit to the common council a written recommendation with an estimate



of the repairs pertaining to any matter or work under the jurisdiction of said board and also the plans and character of any new work to be done and the estimated cost thereof; and the common council shall have power to modify or ratify said estimates and proposed works and repairs, and the said board shall be authorized to proceed with the work as modified or ratified by the common council. The said board shall not have the power to expend any greater sum than the sum authorized by the common council.

§ 65. All contracts entered into by the board of water works, except for the hiring of laborers, shall be in writing and shall be in the name of the city, and executed by the president of the board pursuant to the resolution of the board.

§ 66. The said board shall recommend to the common council the amount of salary to be paid to the superintendent and its other employes other than laborers, and upon fixing the salary by the common council the said board of water works shall choose the superintendent of public works, whose term of office shall be at the pleasure of the board.

§ 67. The amount raised to defray the expenses of the board and of maintaining, repairing, and constructing of works within the jurisdiction of said board and except as otherwise provided in this act, shall be kept in a separate fund called the "Water Works Fund;" and no part of the moneys in said water works fund shall be used for any other purpose than herein provided. The amount raised for the payment of any bonds or permanent indebtedness for water works shall be kept in a separate fund which shall be called the "water bond fund," and no portion of said fund shall be used for any other purpose than herein provided.

§ 68. The said board of water works shall not incur any liabilities against the city beyond the amount authorized by the common council.

§ 69. All funds set apart for the use of the board of water works shall be under the control of the board of water works and shall be paid out by the city treasurer only upon warrants drawn by the said board upon the treasurer and signed by the president of the board of water works, and the superintendent thereof stat-

ing in every instance, the name of the person or corporation to whom it is payable, the amount thereof, what the payment is for, and from what fund it is to be made, with a reference to the resolution authorizing the payment, specifying the date thereof.

§ 70. The board of water works shall have power to acquire for and in the name of the city, by agreement or by appraisal, as herein provided, any lands, easements, privileges, rights and estates necessary for the construction, repair and maintenance of any or all parts of the water works under the jurisdiction of said board; and may also enter into and upon any lands for the purpose of making the necessary surveys, providing that in any one case an expenditure of more than one thousand dollars shall not be incurred without the approval of the common council. In any case involving an expenditure of more than one thousand dollars, it shall first submit to the common council its estimates of the cost of such real estate, and if the common council shall approve of the purchase of such real estate; or if the same shall have been approved by the tax-payers at a special election called as herein provided, the said board shall have power to make the proposed purchase. In case the board of water works can not agree with the owner or owners of said real estate or interest therein, upon the price to be paid therefor, it may proceed in the name of the city to acquire or perfect title thereto in the manner provided by the condemnation law, except in case special provision may be made therefor separately in by this act.

§ 71. The said board of water works shall have the power to regulate the use of the water supply and to grant permits therefor, to fix and to change from time to time, the price to consumers for the use of the water supply, which shall be known as water rates, to provide for the protection and preservation of the water works, reservoirs, pipes and the appurtenances thereof, by submitting to the common council regulations therefor, which may be enforced by ordinance of the common council passed as in this act provided; and in addition thereto the observation of such regulations with respect to the use of water where no ordinance may have been enacted in relation thereto by the common coun-



cil, may also be enforced by cutting off the use and supply of the water in case of the violation of such regulations; but such discontinuance of the use of the water would only be done pursuant to a resolution of the board of water works. All regulations as to the use of water shall be printed upon each permit for the use thereof.

§ 72. From time to time the said board shall cause bills for water rates to be presented to consumers by publication in the official paper of the city, and all other daily papers of the city, of a notice that such bills are payable at the office of the city treasurer on or before a time specified therein; at the time of the publication of such notice, the board shall deliver to the treasurer a list of such bills.

§ 73. At the end of each fiscal year it shall be the duty of the board of water works to submit to the common council in writing, a report of all moneys received, and from what sources, and all moneys paid out and for what purposes, specifying in each case the items of receipt and the items of payment. They shall also report the water rates established by said board, and the common council shall have power to modify and establish said rates, and the water rates when established by the common council, shall be the water rates until changed by the common council.

§ 74. The said board of water works shall recommend any necessary thing to be done for the purpose of supplying the city with pure and wholesome water, to the common council, and also with an estimate of the cost for the obtaining such supply of pure water, and the common council by resolution may authorize the board of water works, and when so authorized the said board shall, for the purpose of supplying the city with pure and wholesome water, purchase, take, and hold any real estate, and by their servants or other persons employed, may enter upon the land of any person or persons, which may be deemed necessary for such purpose, and may take water from springs, ponds, fountains and streams and divert and convey the same to the city, and may lay and construct any pipes, conduits, aqueducts, wells, reservoirs or other works or machinery necessary or proper for said pur-



pose upon any lands so entered upon, purchased, taken or held; and said board of water-works may, as aforesaid, enter upon any lands, streets, highways, roads or lanes or public squares through which they may deem it proper to convey the water from said springs, fountains, ponds, streams, wells and reservoirs, and lay and construct any pipes, conduits, aqueducts or other works for that purpose, leaving the said lands, streets, highways, roads, lanes and public squares in the same condition, as nearly as may be, as they were before said entry. Before taking or using any land for the purposes aforesaid, or of this act, the board of water works shall cause a survey and map thereof to be made, by which the land of each owner or occupant intended to be taken or used shall be designated, and such map so made shall be signed by the surveyor or engineer making the same, and by the president of the said board and shall be filed in the office of the clerk of the city; and the said board or any person in its employment may enter upon any lands for the purpose of making any examination, and of making said survey and map, doing no unnecessary damage.

§ 75. In case the said board can not agree with the said owners or occupants of any lands or water intended to be taken or used, as aforesaid, for the purchase thereof, the board of water works having been first authorized by the resolution of the common council, as aforesaid, may apply to the supreme court at any special term thereof held in the judicial district wherein the city may be, for the appointment of three referees, by whom the compensation to be paid for the damages suffered or to be suffered by any person or persons by reason of taking said lands and water, and constructing any of the said works, shall be ascertained and determined; and in case of the death, resignation, refusal or inability to act of any of the said referees, the said court may appoint others in their places. The said board of water works shall cause a notice, of at least twenty days, of the time and place of meeting of such referees, to be served upon the owners of such land and water, as can be found within this state, which notice can be served personally, or in their absence from their dwellings or places of business, by leaving the same thereat with some per-

son of suitable age; and in case of any legal disability of such owner to act thereupon, serving a notice in like manner upon his guardian or person appointed to act for him, as hereinafter directed; and in case any of said owners can not be found in this state, such notice may be served by publishing the same once in each week for six successive weeks, in two newspapers published in said city; and if any owners shall be insane, infants or idiots, the said court shall appoint some suitable person to attend in their behalf before said referees and to take care of their interests in the premises. The said referees may issue subpoenas to compel the attendance of witnesses to testify before them, and they or any of them may administer the usual oath to such witnesses. They shall make a written report of all their proceedings containing the testimony taken by them, and showing the sum awarded to each owner or other person, and return the same to said court to be filed for record. The board of public works shall cause to be paid to each of the referees the sum of five dollars for each day necessarily spent in discharging the duties for which they may be appointed. Upon the confirmation of said report by the court by order, and the entering of said order in the county clerk's office, any party aggrieved may appeal from the same as in an appeal from a special proceeding.

§ 76. In case of an appeal and on a final affirmance of the order of confirmation, and after further appeal can not be taken, the said proceedings shall be deemed final.

§ 77. Upon the payment or legal tender of the sum finally awarded, as aforesaid, the said board of water works shall be entitled to enter upon, for the purposes contemplated by this act, all lands and waters for which said compensation may have been paid or tendered, as aforesaid, and the same may be held by the city and used by the board of water works for the purposes specified by this act. If any person to whom any compensation may have been awarded can not be found or shall refuse to receive the sum awarded to him, then the said payment may be made by depositing the awarded sum to the credit of said person in such bank, as the supreme court at special term may



designate by order; and the certificate of such deposit signed by the cashier of the bank designated shall be published by said board of water works in two newspapers published in said city, once in each week for six successive weeks, immediately after said deposit, and in one newspaper if only one newspaper is published in said city. If the person to whom compensation is awarded be under legal disability, as aforesaid, payment may be made to his guardian or person authorized to receive the same as the court may direct, and if said guardian or person can not be found, then by deposit, as aforesaid.

§ 78. The city shall also take and hold for the purposes contemplated by this act, all the lands, waters and real estate which shall in any way legally be entered upon and taken by virtue of this act.

§ 79. Any person who shall willfully or maliciously destroy or injure any of the works erected by the said board of water works, or who shall willfully or maliciously commit any act whereby the waters taken and used as hereinbefore provided shall be rendered unavailable or unfit for use, shall be guilty of a misdemeanor.

§ 80. It shall be the duty of the said board of water works to cause to be kept a book in which shall be entered an accurate statement of their proceedings, and also a book containing an accurate account of any receipts and disbursements made by said board, as authorized herein, which book shall at all times be open for inspection by any legal voter of the city; and from said books the said board shall cause the annual statement to be made of its proceedings as hereinbefore provided, and the said statement shall be verified by the oath of the president of said board.

§ 81. The said board of water works, when appointed, shall succeed to all the rights of any board or commission in any city which may be in charge of the water works, and the terms of office of the existing commissioners of water works shall cease upon the organization of the board of water works as herein provided; and the said board of water works shall have all the powers pertaining to boards of water works in the city to which boards it succeeds, which are not inconsistent with this act or other special pro-



visions of law enacted or which may be enacted for the city. The board of water works created hereby shall not be a corporation but a department of the city government.

§ 82. The said board is hereby authorized to establish written regulations for the government and the procedure of said board.

§ 83. Joint action of the board of public works and the board of water works. — The board of public works and the board of water works shall hold joint meetings to be called by the president of either board for the following purposes:

1. To select a city engineer and to recommend to the common council the salary to be paid to him; such city engineer so selected shall hold office during the pleasure of the said boards.

2. To consider the location of new sewers and new water mains and pipes, and no new sewers, water mains or pipes shall be built or laid until the location thereof shall have been considered by the said boards at such joint meeting, and there shall be no interference with any street by any board for the purpose of laying new sewers, water mains or pipes, without a joint meeting of the two boards, to the end that all work of laying new sewers or water mains or pipes may be done with the greatest convenience and advantage.

§ 85. Duties of the city engineer. — It shall be the duty of the city engineer to perform such work with regard to surveying, engineering and other similar work as the said boards of public works and water works or either of them may direct. He shall, under the direction of said boards within two years after the passage of this act, or as soon thereafter as it may be possible, fix and establish the grade line of all streets, sidewalks, public places and squares in the city; shall cause to be prepared a map of the city with necessary profiles showing the boundaries, alignments and grades of all streets, the grade line of all sidewalks, the boundaries and grades of all public places and squares, the location of the sewers and water pipes, and shall thereafter change and add to such map so as to make it conform to any alterations in said boundaries, grades and alignments, and show

all extensions of streets, sidewalks, public squares, water mains, pipes and sewers that shall be made. Any map of a city or part of a city conforming substantially to the requirements of this section heretofore made by the authorities of such city, or of any department thereof, may be regarded as made hereunder and may be used in place hereof or as a part of the map hereby required.

## TITLE VII.

### Of the Board of Charity.

Section 86. The commissioners of charity shall constitute the board of charity for the city. The board shall organize before the tenth of January next succeeding their appointment by electing one of their number president, who shall hold office for one year.

§ 87. The board of charity shall have all the powers and perform all the duties within said city that are now possessed and performed by the overseers of the poor of the towns, in the county in which the city may be located.

§ 88. The said board shall choose some competent person for superintendent of charities, whose duty shall be to administer the charities of the city under the direction of the board of charity. The said board of charity shall recommend to the common council the salary to be paid to such superintendent and the common council shall determine upon such recommendation the salary to be paid to the superintendent before his appointment, which shall not be changed during his tenure of the office of superintendent; and when the salary is once fixed it shall not be changed except by the common council upon the recommendation of the board of charity although the superintendent may personally be changed. The superintendent of charities shall hold office during the pleasure of the board of charity.

§ 89. As provided by section one hundred and twenty-nine of this act the board of charity shall submit in writing to the common council the estimated expenses of the board for the ensuing year in its work, and the common council shall have power to ratify or modify such estimate and shall set apart as the "charity fund" the sum thus fixed for the year. The said fund shall be



held by the city treasurer as the charity fund and shall be used for no other purpose than for charity. The said board shall not expend any additional money to the amount authorized by the common council. In case further funds are required the board of charity shall submit to the common council an estimate of the further funds, specifying the reasons why the same may be required; and if the common council authorize additional funds the same shall be set apart in the hands of the treasurer as "charity fund."

§ 90. The said board shall cause a report to be made of all its proceedings and expenditures at the end of each fiscal year to the common council, which shall be in writing, specifying all the items and verified by the president of the board of charity.

§ 91. The superintendent shall be the executive of the board of charity and shall carry into effect all directions of the board of charity evidenced by a resolution of the board of charity entered upon the minutes of the board. The superintendent shall be under the direction of the board of charity, but such direction must be by resolution of the board.

§ 92. The said board shall meet from time to time as it shall prescribe by its rules of procedure, and special meetings may be called by the president or superintendent, specifying in each case the purpose of the special meeting. Notice in writing must be served personally or by mail upon each member of such board, of such special meeting.

§ 93. All payments from the charity fund shall be made by warrants drawn upon the city treasurer, signed by the president of said board, and the superintendent of charities, and stating in every instance the name of the person to whom payable, the amount thereof and what the payment is for, with a reference to the resolution authorizing the same, giving the date thereof.

## TITLE VIII.

### Of the Board of Safety.

Section 94. The commissioners of safety shall constitute the board of safety for the city.



§ 95. The said board shall choose one of its members as president who shall hold office for one year.

§ 96. The board of safety shall have the control and management of the police of the city. The said board shall recommend to the common council in writing as provided in section one hundred and twenty-nine of this act, the number of policemen to be appointed and the salaries to be paid to policemen; and for any other sum necessary to carry into effect the powers therein granted; and the common council shall have power to ratify or modify such recommendation and shall, by resolution, determine upon such recommendation the number and the salaries for the policemen of the city.

§ 97. After the common council shall have determined the number and salary of the policemen of the board of safety shall have the power and be authorized to select and appoint the number of policemen authorized. The said board of safety shall appoint one policeman as chief of police, who, under the direction of the board, shall be the executive officer of the police department.

§ 98. The board of safety shall make rules and regulations not inconsistent with the ordinances of the common council for the government, management, direction and discipline of the police force, which rules and regulations must be submitted to the mayor and receive his approval in writing before they shall become operative, and such rules and regulations, when thus approved, must be entered in the records of the board, and each policeman must be furnished with a copy thereof.

§ 99. The chief of police, under the direction of the board of safety, shall have the immediate command of the other members of the police force and it shall be his duty to see that the directions of the board are faithfully carried into effect by the police.

§ 100. All policemen shall hold office during the pleasure of the board of safety; and the board of safety may fill any vacancy in the police force whenever and from whatever cause the same may occur.

§ 101. A person to be qualified for appointment in the police force of the city, must be able to read and write the English

language and must be of good character and must never have been convicted of any criminal offense.

§ 102. The members of the police force shall, in criminal matters, have all the powers of constables under the general laws of the state, and they shall also have powers to arrest any person by them found violating any of the ordinances or laws of the city, and to take such persons before the proper city magistrate to be dealt with in the same manner as if such person had been arrested upon warrant theretofore duly issued by such magistrate. They shall also have in every part of the state in criminal matters all the powers of constables; and any warrant for search or arrest issued by any magistrate of the state may be executed by them in any part of the state without any indorsement of the warrant, and according to the tenor thereof; and all pertinent provisions of the code of criminal procedure shall apply to the cases of arrests made, as herein authorized.

§ 103. All criminal process for any offense committed within the city, and all process to recover or to enforce any penalty for the violation of any city ordinance issued out of any court or by any magistrate within the city, and every process, subpoena or bench-warrant issued by the district attorney of the county in which the city is situated relating to any offense committed within the city, and every process, subpoena or warrant issued by any coroner of such county in any inquest held in the city relative to the death of any person may be served by the members of the police force.

§ 104. The police force shall at all times obey lawful orders of the mayor to preserve the peace, and in case of a riot or insurrection, the mayor may take command of the whole police force and he may, for the occasion, appoint and commission as many special policemen as he may deem necessary, who shall have all the powers of regular members of the police force.

§ 105. The said board of safety shall have charge and management of the fire department, and such powers in relation to the same as may be conferred upon said board by special laws hereafter to be enacted, as may be applicable to the city.



§ 106. All moneys raised as herein provided shall be set apart as a separate fund to be known as the "safety fund." No money shall be paid therefrom except upon warrants signed by the president of the board, drawn upon the city treasurer, such warrant to specify the amount the person to whom the same is payable and contain a reference to the resolution pursuant to which it shall be drawn, giving the date thereof.

## TITLE IX.

### Of the Board of Education.

§ 107. The commissioners of education shall constitute the board of education in the city and shall be the successors to the board of education or of the trustees of public schools now in office in such city. And the board of education shall have all the powers and duties now conferred or imposed by law upon their predecessors, except as modified and limited by this act, or except such as are inconsistent with the express provisions of this act.

§ 108. The board of education shall meet on the first week day of January after their election and shall organize by electing one of their members president to serve one year and until a successor is elected. They shall elect a superintendent of the public schools who shall hold office during the pleasure of the board.

§ 109. The board of education shall provide all suitable conditions and facilities for the proper instruction of the children in the city and shall have exclusive charge and control of the public schools, of all grades in such city subject to the supervision and direction vested in the superintendent of public instruction or the university of the state of New York. The board of education may make all necessary by-laws for their own government and for the government of the schools and may provide for the examination and licenses of teachers to be employed in the schools of the city subject to the direction of the superintendent of public instruction for the state. The said board shall also have charge of the public library and make all necessary and proper regulations concerning the same subject to the super-



vision and direction vested in the superintendent of public instruction or the university of the state of New York.

§ 110. The city superintendent of public schools shall, under the direction of the board of education, have charge of the educational work of all the schools of the city. He shall be responsible to the board of education for the course of study to be pursued, and under the direction of the said board, shall designate the text-books to be used in each school. The existing course of study, as prescribed by the board of education, now existing in the city shall continue until modified and changed by the board of education.

§ 111. The board of education shall have power to enter into contracts with school districts adjoining the city, to the end, that the children of such adjoining districts may have the benefit of the schools of the city upon such terms as may be agreed upon between the board of education and the trustees of said adjoining districts.

§ 112. The board of education, as provided in section one hundred and twenty-nine of this act, shall submit in writing to the common council, an estimate of the expenses of the said school board for the ensuing year.

1. For the purchase, lease or improvement of sites for schoolhouses.

2. For the building, purchase, lease and enlargement, alteration, improvements and repairs of schoolhouses and their outhouses.

3. For the purchase, exchange, improvement and repair of school apparatus, mineral and geological specimens, furniture and appendages.

4. For fuel and contingent expenses of the school and expenses of the laboratory, cabinet, public library and necessary and contingent expenses of said board including the compensation of the superintendent of schools.

5. For the payment of teachers' wages and salary of superintendent, aside from the application of public moneys which may, by law, be appropriated and provided for that purpose,

and for the miscellaneous expenses not specifically mentioned in the foregoing items.

§ 113. The common council may modify any item of the estimates so submitted, and the amount so modified shall constitute the amount to be raised for school purposes in the city, unless the modified estimates, having been first submitted to the board of education, shall be rejected by said board by unanimous vote, and the board of education, by unanimous vote of all its members, shall, by resolution, before August first, declare the estimated amount submitted to the common council as necessary for the conduct of schools for the ensuing year, in which case it shall be the duty of the common council to raise the amount so determined for the purposes of the public schools.

§ 114. The moneys so raised by taxes shall be paid to the treasurer of the city, and by him placed in the school fund as a separate fund, called the "school fund of the city," and no moneys so set apart for the public schools shall be used for any other purposes than for the purposes of the public schools, and the school fund itself shall be divided into various funds corresponding to the estimated subjects submitted to the common council and for which the school funds were collected or received, and no payments shall be made from one fund for expenses incurred on account of any other fund.

§ 115. The school fund shall be under the control of the board of education subject to the provisions of this act, and shall be paid out by the city treasurer only upon warrants drawn by the said board upon the treasurer and signed by the president of the board of education and the clerk thereof, stating in every instance the name of the person or corporation to whom it is payable, the amount thereof, what the payment is for, and from what funds it is to be made, with a reference to the resolution authorizing the payments, specifying the date thereof.

§ 116. The city superintendent of schools shall alone have authority to determine by examination the qualifications of teachers, as shall be provided for in the code of public instruction of the state of New York, and the board shall not employ any



teacher who has not a certificate or qualification, in writing, signed by the city superintendent; and no teacher without such certificate shall have the right to claim any salary as a teacher from the board of education or the city.

§ 117. All contracts except as to teachers, superintendent and employes shall be made in the name of the city and signed by the president of the board of education, pursuant to resolution of the board of education entered in the journal of the board.

§ 118. The board of education shall not be a body corporate but a department of the city government, and all suits at law in relation to any matter as to the management of the public schools by the board of education or in relation to any subject-matter as to the affairs under the control of the board of education shall be brought by or against the city.

## TITLE X.

### Of the Board of Health.

Section 119. The commissioners of health in the city shall constitute the board of health thereof. The board of health shall meet on the first week in January in each year, and shall elect one of their members president, who shall hold office for one year, and they shall meet as often thereafter as they may deem necessary. The said board shall appoint for the city a health officer, who shall hold office during the pleasure of the board of health. The health officer shall not be a member of the board of health, and he shall receive a salary to be fixed by resolution by the common council upon the recommendation of the board of health.

§ 120. The board of health shall, in the city, have all the powers and be subject to all the duties conferred and imposed upon it or any board of officers exercising similar functions in the city by existing laws except as expressly modified herein.

§ 121. The board of health shall submit, as provided in section one hundred and twenty-nine of this act, an estimate of the necessary amount of expenditures for the performance of the



duties of the board for the ensuing year, and submit such estimates, specifying each item of expenditure, to the common council, and the common council may modify such estimate, and by resolution fix the amount that the said board may expend during the ensuing year; and in case of unanticipated necessity the board of health may, from time to time, submit an estimate of expenses deemed necessary to meet particular exigencies, and the board shall be authorized to make such expenditures after such recommendation as may be adopted by the common council by resolution.

§ 122. The board of health is hereby prohibited from obstructing the free action of any department of the city government or any board thereof, or to impose any duties upon any board of the city which shall necessitate the expenditure of money, unless the amount of money to be expended shall first be authorized by the common council by resolution.

§ 123. All moneys received by the board of health from any source shall be immediately deposited with the city treasurer, and the said board of health shall have control of the funds authorized by the common council to be expended by said board. The city treasurer shall set apart the moneys so authorized and raised for the board of health in a separate fund called the "health fund."

§ 124. The health fund shall be paid out by the city treasurer only upon warrants drawn by the said board of health upon the treasurer, and signed by the president of the board of health and the clerk thereof, stating in every instance the name of the person or corporation, to whom it is payable, the amount thereof, what the payment is for, and from what fund it is to be made, with a reference to the resolution authorizing the payment, specifying the date thereof.

## TITLE XI.

### Of Taxes and the Collection Thereof.

Section 125. The assessor shall complete his assessment-roll on or before July fifteenth in each year; he shall file the same

with the city clerk when completed, and shall give notice for thirty days, by posting such notice in three public places in the city and by publication thereof in the official paper and all daily newspapers published in the city, that such roll is completed and filed, and that all persons interested may examine the same at the city clerk's office, and also that on the first Tuesday of September next ensuing the board of review will sit to review the same.

§ 126. The board of review shall sit to review such assessments on the first Tuesday in September in each year, and shall continue their season as long as necessary, not more than four consecutive days, and when they have finished their review shall forthwith file the corrected assessment-roll certified by the board of review and also their minutes in the office of the city clerk.

§ 127. The city clerk shall immediately thereupon proceed to prepare the roll for the ensuing year. He shall, upon the written direction of the assessor, correct all clerical errors appearing therein, make a true copy of the assessment-roll as corrected, certify it under the seal of the city, and deliver it to the chairman or clerk of the board of supervisors of the county wherein the city is situated, at its next annual meeting; the board of supervisors shall equalize the assessment-roll with those of the other towns of the county, as required by law, shall, by resolution, ascertain and direct the amount of tax to be levied in the city for state, county and any other lawful purposes and shall, on or before the fifteenth day of December in each year, certify such resolution under the seal of the county to the city clerk and the city clerk shall thereupon extend and apportion such taxes, levied as hereinafter provided, and no other extension and apportionment of such state and county taxes need be made.

§ 128. The common council must annually cause to be levied and raised by general tax upon all taxable property, real and personal, in the city, except in case of taxation by districts less in area than the city, for lighting, water supply, sewerage and other purposes, as provided by law, and then upon all the taxable property, real and personal, in the proper district, according to



the valuation upon the assessment-roll for the current year, corrected as aforesaid:

1. The amount of taxes certified to the city clerk of the city by the board of supervisors, to be assessed upon the city.

2. The amount of all interest and any installment of principal falling due upon the bonds or other permanent debt of the city, which shall be kept in a separate fund to be called the public debt fund.

3. The amount necessary to defray the expenses for the next fiscal year of the board of public works, the board of water works, the board of education, the board of charities, and the board of health, and the board of safety to be determined by the common council upon the estimates of the aforesaid boards, as in this act provided.

4. The amount necessary to defray the cost of lighting the city.

5 The amount necessary to pay the salaries and wages of all officers and servants of the city, the expense of the prevention and extinguishment of fires, and all other necessary, ordinary and contingent expenses of the city not otherwise provided for, which, with all other moneys received by the treasurer, not belonging to any other fund specified by this act, shall be kept as a separate fund to be called the "General City fund." Provided, that the amount of the tax raised in any year for the aforesaid city expenses (excluding the amount to be raised for state and county purposes) shall not exceed two dollars for every one hundred dollars of the assessed valuation of taxable property.

§ 129. Between the first and fifteenth days of October in each year the board of public works, the board of water works, the board of education, the board of charities, the board of health and the board of safety, shall estimate in detail the expenses and the income of their respective departments for the next fiscal year and shall certify such estimates to the common council. The common council shall also make a detailed statement by items of all other expenses of the city, as estimated by it for the next fiscal year, and shall cause all the aforesaid estimates to be published in one or more newspapers published in the city during the week



next preceding its last regular meeting in the month of October. At that meeting, or at any meeting to which an adjournment may be had, not later than the fifteenth day of the month of December next following, it shall revise such estimates and determine the entire amount necessary to be raised to defray the expenses of the city for the ensuing fiscal year. It may, by a vote of a majority of all its members, approve or reduce, but shall not increase any of the estimates of the various boards aforesaid except as otherwise in this act provided, and shall immediately levy the aggregate amount of the tax so ascertained and determined, together with any special tax which shall have been voted, as hereinafter provided.

§ 130. The city clerk, under the direction of the common council, shall extend and apportion said tax on the assessment-roll delivered to him aforesaid, shall forthwith file the same in his office, and shall make a duplicate of the same with the tax so extended and apportioned and shall certify such a copy to be a correct duplicate city-roll of state, county and city taxes; such roll shall then and on or before the fifteenth day of January, or as soon thereafter as practicable, be delivered to the treasurer of the city with a warrant signed by the mayor and city clerk annexed, under the seal of the city, commanding him to receive levy and collect the several sums in the roll specified as assessed against the person or property therein mentioned or described, with such percentage of penalty and interest as in this action provided, in the manner provided by law for the collection and levying of county taxes by town collectors, and to return said warrant and roll to the city clerk, within ninety days after the date of the warrant.

§ 131. Immediately on the delivery of the city-roll and warrant to the treasurer he shall publish notice in the official and all the daily newspapers published in the city, that he will attend at the office of the city treasurer with said roll and warrant, for thirty days next after the first publication of said notice, Sundays and legal holidays excepted, from ten o'clock in the morning to three

o'clock in the afternoon to receive city, county and state taxes, and it shall be his duty to attend accordingly.

§ 132. All taxes or assessments paid within thirty days after the first publication of the treasurer's notice shall be payable without fee, percentage or interest thereon. On all taxes or assessments remaining unpaid after the expiration of such thirty days the treasurer shall collect five per centum additional, and all remaining unpaid after the expiration of sixty days from such first publication shall bear, and there shall be collected thereon, in addition to said five per centum, interest at the rate of one per centum per month from the expiration of said sixty days, when per centage and interest shall belong to the city.

§ 133. The treasurer shall give a receipt for each and all payments of city, county or state taxes, which receipt shall be signed by him, and the receipt for each payment made within the thirty days after the first publication of said notice shall be countersigned by the city clerk who, in addition to and separate from the account thereof kept by the treasurer, shall keep an account showing the amount and date of payment of each city tax and of each state and county tax paid during said thirty days.

§ 134. It shall be the duty of the treasurer of the city to pay over to the treasurer of the county in which the city is situated, at the end of each week from the date of said publication, all the moneys he shall have then received for taxes for county and state purposes, and if the full amount of such taxes as required by the board of supervisors shall not be paid to the proper county treasurer on or before the twenty-fifth day of April, then it shall be the duty of the treasurer of the city to pay over the balance of money for such taxes, if any, in his hands and if there still remains a deficiency, the treasurer shall then pay the same from the general city fund, and the mayor and city clerk shall draw and countersign a warrant, and the mayor and treasurer a check therefor, and the city treasurer shall not be required to make any return of unpaid taxes to the county treasurer, or to surrender the roll or warrant to him, and thereafter all such unpaid state and county taxes shall belong to the city, and shall be enforced



and collected in the manner provided for city taxes, and any and all sums collected thereon shall be placed in the general city fund.

§ 135. If on the first day of July, the amount of the revised estimates of either of the boards mentioned in section one hundred and twenty-nine of this act, required to be raised by taxation, shall not have been collected and deposited, then the amount of the deficiency shall be drawn by the treasurer from the general city fund, and deposited to the credit of the fund or funds, in the control of such board, and the city taxes on account of such fund thereafter collected, shall be placed in and belong to the general city fund.

§ 136. At the time of the delivery to him of any city roll or warrant, the treasurer shall deliver the city clerk a receipt, acknowledging the reception by him of the duplicate roll and warrant, and shall then be charged with the whole amount which the roll and warrant delivered to him authorized him to collect; and whenever any payment for county and state taxes shall be made as herein provided by the city treasurer to the county treasurer, the treasurer of the city shall stand charged with the same, and he shall not be authorized to credit himself with any amount as unpaid on any warrant, until he shall make and file with the city clerk an affidavit stating the amount unpaid, and setting forth the reason in each case why such tax or assessment is or has not been collected. The common council may thereupon order and authorize said treasurer to credit himself with the whole or any part of said tax or assessment unpaid, and the treasurer shall be credited only with such amount as the common council shall so order. But no such settlement nor any settlement had by the council or by any city officer with any tax or assessment shall be final or conclusive; and no bond or other security given by any treasurer shall be invalidated by or cancelled on any such settlement, but shall remain in full force.

§ 137. All taxes and assessments remaining unpaid for sixty days after the date of the original warrant for the collection thereof, may be sued for by the city and recovered in an action against any person or corporation liable therefor, but a judgment



in such action in favor of the city shall not operate to release any lien of such tax or assessment until satisfied.

§ 138. Every tax for county or state purposes, and every tax assessment or other lien on real estate under this act, for whatever purpose imposed or charged upon any real estate within the city, shall be a lien upon such real estate from the time of the adoption of the resolution imposing the same until paid. Water rates shall be a lien until paid, and every assessment upon real estate, or water rate imposed under this act, may, when due, be collected in the same manner as herein provided for the collection of taxes, except that the warrant for the collection of a water rate shall be issued by the board of water works.

§ 139. On or before the fifteenth day of June next, after any tax shall have been imposed upon any real estate in said city, the treasurer shall make and deliver to the assessor a transcript of any and all such taxes which remain unpaid, and it shall be the duty of the assessor, on or before the fifteenth day of July thereafter, to make and deliver to the treasurer a statement containing a brief general description of the location, boundary and estimated quantity of each parcel of said lands, and in case any such lands shall have been erroneously assessed, then it shall be the duty of such officer to make and include in said statement, a corrected assessment at the same valuation as before, and such corrected assessment, and the amount of taxes levied upon said lands shall be as valid and effectual for all purposes as though they had originally been correct.

§ 140. Whenever any such tax, penalty or interest, or any part of either of them, shall remain unpaid on the first day of August, the treasurer shall proceed to advertise and sell the lands upon which the same was imposed, for the payment of such tax, penalty or interest, or the part remaining unpaid, and the expense of such sale, as hereinafter prescribed, shall also be a charge upon such lands.

§ 141. The treasurer shall, immediately after the said first day of August, cause to be published once a week for two successive weeks, in the official and all daily newspapers published in the

city, a list or statement of the parcels of land charged with any unpaid tax, penalty or interest, describing each parcel according to the description required by the last section, with a notice that each of the said parcels of land will, on a day within ten days after the expiration of said six weeks, to be specified in said notice, be sold at public auction, at a place in the city therein specified, to discharge the tax, penalty or interest and expenses aforesaid, which shall be due thereon at the time of sale. The charge for publishing said notice shall be one dollar to each newspaper publishing the same for each piece or lot of land described in said notice. On the day and at the place stated in said notice, the treasurer shall commence the sale of said parcels of land and shall continue the sale from day to day until all shall be disposed of.

§ 142. The purchasers on such sales shall pay the amounts of their respective bids to the treasurer, immediately after each parcel shall be struck off. In case a purchaser shall fail to pay the amount of his bid as herein prescribed, the treasurer shall forthwith offer the parcel for sale again, and proceed as though it had not been struck off. Should there be no bid of the amount due on any lot or parcel of land to be sold, then the treasurer shall bid in the same for the city, and the city is hereby authorized to acquire said parcels, and the common council shall have the care and control of all such parcels, and may lease or sell and convey the same. As soon as practicable after the sale, the treasurer shall prepare and execute in duplicate as to each parcel sold, a certificate of such sale, describing the parcel purchased by a brief general description of the location, bundary and estimated quantity thereof, and stating the fact of the sale, the name of the purchaser, the sum paid therefor, the amount due thereon at the time of the sale, the name of the person or persons against whom such tax was assessed, and the name of the reputed owner thereof. One of said duplicates shall be delivered to the purchaser, or in case the parcel was struck off to the city, then it shall be retained by the treasurer. The treasurer shall deliver the other duplicate



certificate to the clerk of the county wherein the city is situated, who shall file said certificate in his office and record the same in a book to be kept in the said clerk's office for that purpose, and shall index the certificate in the name of the person to whom the parcel was assessed, the name of the reputed owner thereof and in the name of the purchaser, in the same book and manner as deeds are required by law to be indexed. The county clerk shall be entitled to receive a fee of fifty cents for each certificate so filed and recorded, which fee shall be paid by the treasurer and shall be a part of the expenses of the sale of the parcel.

§ 143. If from any cause the treasurer shall be unable to attend at the time and place of sale, the city clerk of said city may conduct the sale with the same force and effect as though made by the treasurer.

§ 144. The proceeds of the sale of each parcel, other than those struck off to the city, shall be applied to the payment of the expenses of the sale as herein provided, and to the extinguishment of the tax, percentage and interest for which it is sold, and if there shall be any residue, the treasurer shall hold the same until the owner of the premises at the time of such sale, shall redeem them from the sale, as herein provided, and then the treasurer shall pay such owner said surplus. In all other cases, the treasurer shall hold the same until after the period of redemption shall have expired, and then he shall pay such surplus, and the person or persons entitled thereto shall be ascertained in the same manner and by the same proceedings as in case of surplus on statutory foreclosure of a mortgage upon real estate.

§ 145. The owner of, or any person interested in or having a lien upon, any parcel or lot so sold, may redeem the same from such sale at any time within two years, by paying to the treasurer for the use of the purchaser or his assigns, or if the same shall have been redeemed by any person other than the owner thereof, then for the use of such person, the sum mentioned in the certificate, with interest thereon at a rate of twelve per centum per annum from the day of sale, together with any tax, assessment or water rate upon said parcel or any part thereof, that the said



purchaser or assigns, or person before redeeming, shall have paid between the day of sale and the day of redemption, with interest at the rate of twelve per centum per annum upon such tax, assessment or rate, from the time of payment.

§ 146. At least three months before the expiration of the time for the final redemption of any parcels or lots so sold, the treasurer shall commence the publication of a notice of redemption from such sales, which shall show the year when the sale took place, and the last day for the redemption of the lands not already redeemed by the owners, without other or further description, and such notice shall be published for six successive weeks in all the daily newspapers published in said city. The publication of such notice shall bar and preclude any and all persons except the purchaser on such sale, or his heirs or assigns, or the person finally redeeming from, claiming an interest in or lien upon said lands, or any part thereof, in case the said lands shall not be redeemed from such sale as herein provided.

§ 147. If any parcel or lot so sold shall not be redeemed as herein provided, the treasurer, immediately after the expiration of the said two years, shall execute and deliver to the purchaser, his heirs or assigns, or to the city or its assigns, or to the person finally redeeming as the case may be, a conveyance of the real estate so sold, which conveyance shall vest in the grantee an estate in fee, subject only to the liens, if any, of unpaid taxes, assessments or water rates thereon. The treasurer executing such conveyance shall be entitled to demand and receive from the grantee, one dollar for preparing every such conveyance, but all purchases made for the city in any year shall be included in one conveyance, for which the treasurer shall be entitled to receive ten dollars.

§ 146. Every such conveyance shall be executed by the treasurer, and the execution thereof shall be acknowledged before some officer authorized to take and certify acknowledgments of instruments for record in said county, and such conveyance shall be conclusive evidence that the sale and subsequent proceedings were regular, and presumptive evidence that all the previous pro-

ceedings were regular and according to law. Any such conveyance may be recorded in like manner and with like effect as any other conveyance of real estate.

§ 149. The said grantor, or his assigns, or the city or its assigns, as the case may be, shall be entitled to have and possess the granted lands from and after the execution of such conveyance, and may cause the occupants of such lands to be removed therefrom and the possession thereof delivered to them, in the same manner and by the same proceedings and by and before the same officers, as in case of a tenant holding over after the expiration of his term without permission of his landlord.

§ 150. Whenever any grantee under any sale shall be unable to obtain possession of the lands conveyed to him by reason of any error or irregularity in the assessment of any person or property in the levying of a tax, or any proceeding for the collection of any tax, the common council shall refund the purchaser the money so paid with interest, the same to be audited and paid as other city charges.

§ 151. After the city shall have acquired the title to any lands sold for taxes, such lands shall be exempt while owned by the city from all taxes. Whenever a sale of any lands belonging to the city shall be made, the city clerk shall forthwith notify the assessor thereof, and in case the sale shall be made between the first day of July and the first day of November, the assessor shall certify to the common council the assessed valuation of said lands, with the name of the person or persons to whom the same are assessed, and the said council shall add the same to the city assessment-roll, and apportion and levy the proper tax thereon.

§ 152. Whenever any assessment, water rate or other lien upon real estate under this act, except taxes, shall have remained unpaid, in whole or in part, for four months from the date when the same became a lien, the common council may direct the treasurer to sell the land upon which said lien exists, and the treasurer shall thereupon make and deliver to the assessor a statement thereof, and the assessor shall make and deliver to the treasurer a description of said lands, as hereinabove provided, and he shall



forthwith proceed to advertise and sell said lands in the same manner as in the case of unpaid taxes, and all the provisions of this act as to such sales shall apply to sales under this section.

§ 153. In case of the redemption of any lands sold for taxes as herein provided, by the person who was the owner thereof at the time of such sale, the treasurer shall give such owner a receipt for the amount paid by him to effect such redemption, and on the production thereof by such owner to him, the county clerk shall cancel the certificate of sale by a proper entry at the foot of the record of such certificate in his office.

§ 154. Whenever any assessments for any purpose shall have been imposed under the provisions of this act, or under the provisions of the charter of any city, upon any real estate in such city, it shall be lawful at any time within the period fixed for the payment of said assessment, for the owner or owners of said real estate upon which said assessment is imposed, to file with the treasurer of such city a written application that the said city shall assign and transfer, persons or corporation, as said owner or owners may, in said application, name the assessment in question, and the right of such city to recover of such owner or owners and from said real estate, the amount of said assessment and interest thereon, in which application such owner shall expressly waive all defenses to such assessment, which waiver shall be conclusive against such real estate upon the filing of such application, and the payment to such city of the full amount of such assessment with interest thereon due, such city shall, by its treasurer, execute and deliver to said person, persons or corporation named by said owner or owners, a proper instrument in writing, selling, assigning and transferring to such person, persons or corporations, the assessment imposed upon the said real estate in said application described, and all the right of such city to recover from said owner or owners or from or out of the said real estate the amount of said assessment and any interest thereon; and further transferring and assigning to said assignee or assignees, the lien of such city upon such real estate by reason of said assessment. The amount of such assessment shall from



the date of such transfer bear interest at such lawful rate and be payable at such times as may be agreed upon between said owner or owners and said assignee or assignees, by an agreement or by successive agreements, indorsed upon said assignment and transferred, or upon any subsequent assignment thereof after the execution of such written instrument of assignment or transfer, the lien of said assessment theretofore existing in favor of such city upon said real estate, shall continue to exist in favor of such assignee or assignees, or his or their legal representatives or assigns; providing, however, that said lien shall terminate at the end of three years after the date of said assessment, unless an action for the foreclosure thereof shall be sooner brought, and a notice of the pendency of said action filed in the clerk's office of the county wherein the city is situated. The holder of such assignment or transfer shall, upon default in the payment of the amount of said assessment and interest, at the time agreed upon, have the right to collect the amount due, and enforce the said lien by an action for the foreclosure thereof.

§ 155. There shall be kept by the city treasurer in his office a book in which shall be kept the record of all assignments so assigned, containing a transcript of the assessment from the original assessment-roll, the name of the person or persons who, as owner, made the application for the assignment, the date of the assignment, and the name of the assignee or assignees. Such record shall be indexed in the name of the person or persons against whom the assessment was made, and in the name of the person or persons making the application for the assignment. Upon making such assignment the treasurer shall mark upon the original assessment-roll, opposite the assessment so assigned, a statement that such assessment has been assigned, the name of the assignee or assignees, and a reference to the record thereof in the aforesaid book. A note of any subsequent assignment, if any, by such assignee or assignees, shall be made by the treasurer on the record thereof in the said record thereof book, and such assignment shall be filed with the treasurer. On the filing with the treasurer of a satisfaction piece, properly executed by the

original assignee or assignees, or by his or their legal representatives or assigns, showing the payment of said assessment and all interest thereon, he shall thereupon mark opposite said record in said book the words "satisfied of record."

§ 156. Whenever the common council shall receive by the affirmative vote of two-thirds of its members, than an extraordinary expenditure ought for the benefit of the city to be made for any specific purpose set forth in the resolution, it shall make an estimate of the sum necessary therefor and for all such purposes, if there be more than one, and publish such resolution and estimate for at least three weeks in the official and all daily newspapers printed in the city, together with a notice that at a time and place therein specified a special election of the taxpayers of the city will be held to decide whether the amount of such expenditure shall be raised by tax. The common council shall appoint three inspectors of such election and shall fill all vacancies occurring among them. All provisions of law prescribing the duties of inspectors of election and their powers and with reference to preserving order at elections and false swearing and fraudulent voting thereat shall, so far as applicable, apply to the special elections held thereunder. Every taxpayer, male or female, whose name shall appear upon the last assessment-roll of the city before such special election, and no other person shall be entitled to vote at such election. The election shall be by ballot and each ballot shall contain a brief statement of each purpose for which such expenditure is required and the amount thereof, and opposite each of such statements the word "for" or the word "against." The inspectors shall at the time and place designated as aforesaid, sit without interruption from nine o'clock in the morning until four o'clock in the afternoon to receive the ballots cast at such special election, and shall deposit the same in a suitable ballot-box, to be provided by the city. If the right to vote of any person offering to vote at such special election be challenged by any other person entitled to vote thereat, an inspector of the election shall administer to him the following oath: "You do swear that you are a taxpayer of the



city of (here inserting the name of the city in which the election is held) and that you have not voted at this election." After he shall take such oath, and if he shall be assessed upon the assessment-roll aforesaid, his vote shall be received. The inspectors shall canvass the votes received immediately after closing the polls, and immediately make a certificate signed by them, or by two of them, stating the whole amount of ballots voted at such election; the whole number for each special tax, and deliver the same forthwith to the city clerk. The city clerk shall deliver the same to the common council at its next meeting, and it shall cause the result of the said election thus certified to be entered in its minutes, and if the whole number of votes received at such election, for any special tax, exceeds the whole number of votes against the same, the common council shall cause the sum or sums thus voted to be assessed, levied and raised, with and in addition to other taxes in and upon the next assessment-roll. No more than one such election in any city shall be held in any one year. After such special tax or taxes shall have been authorized, as herein provided, the common council may proceed to authorize the expenditure of the amount thereof for the purpose or purposes specified in its published statement aforesaid and sanctioned by such election. The common council may at such special election submit a proposition that any part of the amount to be expended for such purpose may be raised by special taxation and the balance by bonds of the city, or that the whole thereof shall be raised by bonds of the city, instead of the proposition that the whole of such expense be raised by special tax. The common council may borrow, if necessary, the amount so voted in anticipation of the collection of the said tax, and the amount so raised or borrowed shall be expended only for the purpose for which the special tax was voted, and shall be repaid within one year from the proceeds of the tax; or in case that it shall be voted to bond the city for any part or the whole of such expense, as above provided, the common council may issue coupon or registered bonds, of such denomination and bearing such interest, not exceeding five per centum per annum, and running for such



terms as it may by resolution determine, and such bonds to be sold at not less than par. and said common council may raise by taxation on such sum, in addition to all other sums now authorized, sufficient to pay the interest upon said bonds, and the principal thereof when it shall become due.

§ 160. The fiscal year in every city shall commence on the first day of January.

## TITLE XII.

### Of Assessments for Local Improvements.

Section 161. The common council of the city shall provide by ordinance what portion of the cost of local improvements, including paving, repaving, macadamizing or curbing any street or section of a street or public place or square or sewers shall be borne, if any, by the adjoining property or the property benefited thereby, and what portion of such expense shall be borne by any surface railroad whose tracks may be upon any street so improved, and what portion, if any, shall be borne by the city; and except as herein specially provided may ordain how such expense shall be assessed upon the property benefited and the assessments for such local improvements shall be levied and collected as provided in this act.

§ 162. If the board of public works shall decide of its own motion that any street, section of a street, public place or square ought to be paved, repaved, macadamized, or graded, or that gutters ought to be made or curbs set; or if the owners of real estate having a majority of lineal feet frontage upon the street or portion of street to be improved, exclusive of any portion thereof owned by the city, shall petition the board of public works therefor, the said board shall publish, for at least two weeks, a notice in the official newspaper of the city that, at a time and place to be therein specified, it will meet to make a final determination in respect thereto. Such notice shall contain a brief description of the character, location and extent of the improvement and materials to be used therein. Any person interested shall be entitled to be heard at such meeting in support of or

in opposition to such improvement. If, before such meeting, a protest against the improvement in writing, signed by the owners of two-thirds frontage upon such street, section of a street, public place or square and acknowledged as deeds of real estate, are required to be acknowledged, be filed with said board, it shall not decide in favor of the proposed improvement nor shall it again consider the same within two years; but the owners of a majority of the frontage of said street or of a smaller section of the same street, not less than one block, may file with the said board a petition therefor, and in that case the said board may decide in favor of the improvement as therein requested. If the board of public works shall finally determine that such improvement ought to be made the said board shall present to the common council a written statement specifying the location, character and extent of such improvement, of what materials the same is to be made and the estimated cost thereof, specifying the particulars and items of said cost, with a copy of the resolution of the board of public works determining that said improvement ought to be made, and an estimated statement of the amount of such expense which should be paid by the city and of the amount to be borne by local assessment and the amount to be paid by any surface railway, such statement to be signed by the president of the board of public works. The common council shall thereupon consider such recommendation and either approve or reject the same. In case the common council approve such recommendation it shall, by resolution, authorize the board of public works to make such improvement and the clerk of the common council shall return to the board of public works a copy of such resolution, certified by him, and the same shall be entered upon the minutes of said board. If the board of public works shall decide that any sewer ought to be built, it shall present to the common council a written statement specifying the location, character and extent of such proposed sewer, of what materials the same is to be made and the estimated cost thereof, specifying the particulars and items of such cost and also an estimate of the amount to be paid by the city and of the



amount to be borne by local assessment; such statement to be signed by the president of the board and accompanied by a copy of the resolution recommending that the same be built. In case the common council shall approve such recommendation it shall, by resolution, authorize the board of public works to build such sewer, and the clerk of the common council shall return to the board of public works a copy of such resolution certified by him and the same shall be entered upon the minutes of said board.

§ 163. If the board shall finally determine to make the improvement it shall record an order therefor in its minutes, it shall ascertain the whole cost thereof and shall apportion the same, if the improvement be paving, repaving, macadamizing, curbing or grading upon all the real estate fronting upon such street, section of a street, public place or square then to be improved, in proportion to the frontage of the respective lots and parcels thereof, first deducting the share thereof imposed upon the city and any portion thereof which any street railroad company may be liable to pay for the paving between its tracks and on each side of them; and if the improvement be a sewer shall apportion the said cost in the manner which the common council shall have by ordinance prescribed upon the property benefited thereby. The board of public works shall report such apportionment and the amount for which such railroad company shall be liable, and a list of all the lots and parcels of land liable to assessment, with their respective frontage, to the common council, and shall cause the share of the cost of such improvement for which the city is liable to be paid out of the highway fund; and if the improvement be a sewer out of the sewer fund, and if there be not sufficient money in said funds for that purpose shall report the deficiency to the common council, which shall borrow the necessary amount and pay it into the highway fund or sewer fund as the case may require, and include it in the next tax levy and the amount so borrowed shall be repaid within one year from the proceeds of such tax. The common council shall assess the residue of such cost upon all the real estate fronting upon



said street or section of a street, public place or square as herein above provided, in proportion to the frontage on said lots and parcels of real estate respectively, and it shall designate in such assessment the names of the owners of said real estate and the number of feet owned by them respectively, and if the improvement be a sewer shall assess the same upon the property benefited as it shall by ordinance have ordained, and shall thereupon cause a notice to be published in the official newspaper and all daily newspapers printed in said city for ten days, that such assessment has been made and that the common council will meet at a time and place specified in such notice to hear any objections which may be made to such assessment, and in the meantime the said assessment may be examined without expense by any person desiring to examine the same. At the time and place specified in such notice, the common council shall hear such objections as shall be made to the said assessment and shall review the same and may adjourn such proceedings, from time to time, and may alter and amend the said assessment in their discretion; and when it shall deem it to be correct, it shall confirm the same, and the said assessment shall be collected in the same manner as other assessments are collected by the treasurer, as provided in this act, and the amount thereof shall be placed in the highway fund and sewer fund, as the case may be, and shall be expended only for the purpose of defraying the expense of said improvement. If any real estate so assessed belongs to the city, the amount of the assessment thereupon shall be paid out of the general city fund.

§ 164. The common council, at the time it shall confirm any assessment for local improvements, may provide that the owners of any real estate against which a tax is thereby assessed, may have the privilege of paying the same in such equal annual installments, not exceeding ten, as it may prescribe, upon filing with the city clerk, within ten days thereafter, their election and agreement to pay the same in that manner, with interest thereon, payable annually. Every assessment as to which such an agreement shall be filed shall be collected by such installments,

with annual interest thereon, in the same manner as other taxes and assessments, and every installment, with accrued interest, shall be a lien upon the real estate against which the same was assessed, as in the case of other assessments. For the purpose of anticipating the payment of such installments, the common council may issue registered bonds of said city for such part thereof payable at such respective times, not exceeding ten years, with interest, not exceeding six per centum per annum, as it may deem advisable. Said bonds shall be signed by the mayor and treasurer and sold for cash at not less than par to the highest bidder, and the funds derived from the collection of said installments, as they become due and are paid, shall be applied to the and constitute a fund for the liquidation of said bonds. Any property owner shall have the privilege of paying, at any time any installment of assessment which becomes due, all remaining installments with accrued interest thereon. The city shall have power to pay any or all such outstanding bonds before the same shall become due and whenever the treasurer shall have moneys in his hands applicable to such payment it shall be his duty to notify any holder of said bonds that he will pay all or any portion thereof, with accrued interest, on a day to be specified in said notice and interest on such bonds shall cease from and after the day therein specified.

§ 165. It shall be the duty of the owner or occupant of any property fronting on any street, public square, place or highway of the city, to build, keep in repair and rebuild sidewalks in front of his said property upon such established grade and of such materials and size as the board of public works may direct. It shall be the duty of such owner or occupant to clean, keep clear and free from snow and ice such sidewalks. The common council may provide by ordinance for the enforcement by proper penalties of the provisions of this section; and in case of the failure of such property owner or occupant to build such sidewalk as above provided when notified so to do, the board of public works may construct such sidewalk and certify the cost thereof, not exceeding the expense of labor and materials, to



the city treasurer, who shall collect the same, and shall have power to enforce such collection by action in the city court in the name of the city.

§ 166. Whenever it shall appear to the board of public works that any street or section of a street or public place or square ought to be laid out, altered, opened, widened, extended or straightened, it shall cause such surveys, maps, profiles and drawings, showing the proposed improvements, as it shall deem necessary, to be made, and shall publish notice in two or more newspapers printed in the city, for at least ten days before such meeting, that it will meet at a time and place specified in such notice to make its final determination thereon. At such meeting it shall hear all reasons adduced for and against such improvement and it may adjourn such hearing from time to time. If the board of public works shall determine to make such improvement, it shall record an order that the same be made, containing a general description of the character and location thereof, and of the lands necessary to be taken therefor, upon its minutes, and shall file a copy thereof in the office of the city clerk. Within twenty days after it is so filed, any person deeming himself aggrieved may move in the county court of the county wherein the city is situated, upon notice to the board of public works to vacate the same by the proceedings as are prescribed by the highway law on a motion to vacate the report of commissioners appointed to determine upon the necessity of a highway. If, upon such motion such order be vacated, the action of the county court shall be final for two years, and within that time such proceedings shall not be renewed. If, upon such motion such order be confirmed, or if no motion to vacate the same be made, the board of public works shall apply to the county court of the county or to the supreme court in the judicial district wherein the city is situated, for the appointment of three commissioners of appraisal and estimate, and shall publish, for at least two weeks before such application, in two or more newspapers printed in the city, a notice of the time and place at which such application will be made. Any person interested



shall be entitled to be heard thereupon. The court shall, on such application, appoint three freeholders who shall reside in the city, to be such commissioners. It shall be their duty to ascertain the entire cost of such improvement; to determine the compensation which ought to be made to the owners of and all persons interested in any real estate required for such improvement; to determine the area within which real estate will be benefited by such improvement and to estimate the amount of such benefit to every parcel of real estate within such area, and such area shall be the area of assessment of the cost thereof. The commissioners shall take the constitutional oath of office and shall diligently proceed to ascertain the compensation and estimate the benefits aforesaid; they shall have power to enter upon and examine any real estate affected; to hear the proofs and allegations of the parties interested, and to compel the attendance of witnesses by subpoena. They shall publish a notice of the time and place of their first meeting for at least one week in two newspapers published in the city. The commissioners shall apportion the entire cost of such improvement, including the compensation to the owners of the real estate taken therefor, the expense of surveying, the cost of construction, and their own fees, and any other necessary expenses upon all the real estate within the area of assessment established by them, as nearly as may be, in proportion to the benefits resulting to each parcel thereof, and they shall make a report to the court appointing them, which shall contain a description of each parcel of land necessarily taken for such improvement, the names of the owner or owners thereof and of all persons interested therein, together with the amount of compensation which ought justly to be made to such owner or owners or persons interested, and a statement of the expenses of the proceedings and the entire cost of the improvement. It shall also, by a sufficient description, indicate the limits of the area of assessment determined by the commissioners, the location and description of every parcel of real estate benefited, and the proportionate amount of the entire cost of such improvement which ought to be assessed thereon. The

compensation of the commissioners shall be five dollars a day for each day in which they shall be actually engaged in the performance of their duties. The report of the commissioners shall be filed with the city clerk, who shall thereupon immediately publish a notice in two newspapers printed in the city that it has been filed and is open to inspection by any person interested therein, and that the commissioners, at a time and place therein designated, will meet to review their report. Within twenty days after the first publication of such notice the said report shall be open to inspection without expense to any person desiring to examine the same, and at the expiration of such period of twenty days, the said commissioners shall meet at the time and place designated in such notice, and shall review their report, and correct the same where it needs correction, and again file the same with the city clerk. At such meeting for review any person interested may file objections in writing to the report, with any affidavits he may choose to make. The city clerk shall thereupon publish a notice in one or more newspapers printed in the city that the report of the commissioners has been completed and filed, and that an application for the confirmation thereof will be made to the court by which the commissioners were appointed, at a time and place to be named in such notice, which shall be not less than ten days from the publication of such notice. During such period of ten days the said report shall continue open to inspection without expense to all persons interested therein, and within such period any owner or person interested in any real estate affected may give notice of an appeal, briefly stating the appellant's objections to the report. All such appeals shall be heard by the court when the said report shall be presented for confirmation. The affidavits filed as aforesaid, and no others, may be read against confirming the said report, and affidavits may also be read to sustain the same, but no cause shall be shown against such confirmation except an appeal shall have been taken as herein provided. The court shall have power to direct specific alterations in the report, and such alterations as it may thus direct shall be made forthwith.



The court shall thereupon confirm or disallow such report, and if it disallow the same, may thereafter, from time to time, and as often as it may deem proper, refer the same to the commissioners or to new commissioners for revision and correction. The same proceedings shall be had upon any revision of such report, as to giving notice thereof and appeals therefrom, as in the case of the first report. The court may, in its discretion, award costs for or against any party so appealing, and upon the final confirmation of such report, it shall be delivered to the common council, which shall assess the amounts estimated and apportioned by the commissioners upon the respective parcels of real estate included in their report. The city treasurer shall collect such assessments in the manner herein provided for the collection of taxes and assessments, and shall pay to the persons to whom compensation is awarded in such report the amounts awarded to them, respectively; and in case they or either of them shall refuse to accept such compensation, the city treasurer shall deposit the same in one of the banks in said city for the use of such persons, and payable to their order. If any person to whom compensation shall be awarded shall be an infant, or insane, or not a resident of the city, or unknown, the court confirming such report, at the time of such confirmation or on a subsequent application, shall direct where and in what manner such compensation awarded to such person shall be paid or deposited for his or her benefit, and the treasurer shall pay or deposit the same accordingly. Upon such compensation being duly paid or deposited, as aforesaid, the real estate and the interests therein for which the compensation was awarded may be taken and appropriated by the city for the purposes of such improvement, as stated in the original order of the board of public works directing the same.

§ 167. Whenever any proceedings shall be taken under this act to alter, widen or straighten any street, highway or public place, and it shall be necessary in connection with such improvement to change the location of any railway, tramway or other structure



maintained therein by any corporation, the board of public works shall indicate such changes in their resolutions, surveys and notices; and the right to require the same to be made shall be acquired and the compensation to be paid therefor ascertained in and by said proceedings; provided, however, that no corporation shall be required to remove its railway or tramway beyond the boundaries of said street, highway or public place as the same existed prior to the commencement of said proceedings, unless the consent of the property-owners along that part of said street, highway or public place be first obtained, or the order of the court in lieu thereof be first procured. The change of location of any such railway, tramway or other structure as herein provided shall not be regarded as in any manner impairing the right of the corporation to maintain its said railway, tramway or other structure in and along said street, highway or public place, but as regulating the use thereof for the public convenience.

### TITLE XIII.

#### Of the City Court.

Section 168. A city court of civil and criminal jurisdiction is hereby created and established in and for the cities with the jurisdiction and powers hereinafter conferred.

§ 169. The offices of city judge and special city judge are hereby created and the incumbents thereof shall be chosen by the electors of the city at the same time as other city officers by this act are elected. They shall take the oath of office prescribed by law and shall enter upon the discharge of their duties on the first day of January next after their election, respectively.

§ 170. The city clerk shall deputize a deputy city clerk, with the consent and approval of the city judge, who shall be the clerk of the court and shall hold office during the pleasure of the city judge, and shall take the oath of office prescribed by law. Upon his removal his successor may be appointed in the same manner that he was appointed. In the case of his absence or inability, the city judge may, by an order entered upon the minutes, appoint some suitable or competent person to perform the duties of clerk

during the absence of said clerk as aforesaid, and he shall also take the oath of office prescribed by law.

§ 171. The city court shall have and possess the same powers and jurisdiction possessed by courts of justices of the peace and courts of special session within the city and the recorder's court, if any; and in addition thereto shall have exclusive jurisdiction of all the misdemeanors committed within the corporate limits of the city, and also for the violation of any ordinance of the city. And the defendant shall not have the right to waive examination and give bail or to elect to be tried by any court of sessions. Jury trial shall be had therein as in courts of justices of the peace and recorders courts, except as hereinafter provided. It is the purpose and intent to give to the city court all the jurisdiction now possessed by justices of the peace and of recorders courts in the city.

§ 172. Process shall be made in full before said court by a proper title and shall be specified in the following form, the blanks all properly filled out:

In the city court of.....  
County of.....  
State of.....

} ss.:

*The People of the State of New York to any constable of said city or county, greeting:*

You are hereby commanded to summons .....  
to appear in and before the city court of ....., at  
its court-room ..... in said city of .....,  
on the ..... day of ....., at ten o'clock in the  
forenoon, to answer to the complaint of .....  
in a civil action.

Witness, Hon.....  
City Judge of.....

This ..... day of .....  
.....

Clerk.

Said process may be issued by either the special judge, clerk or deputy clerk, and the jurisdiction of said court over said process,



so issued, shall attach when the same is issued and actually delivered to any officer for service. Said process shall be made returnable within the time prescribed for courts of justices of the peace by the code of civil procedure.

§ 173. The proceedings, practice and pleadings, including appeals, shall be governed in civil matters by the provisions of the code of civil procedure relating to justices' courts, and in criminal matters by the provisions of the code of criminal procedure relating to courts of special session, except as herein otherwise provided. Sections twenty-eight hundred and ninety-three and twenty-nine hundred and fifty-nine of the code of civil procedure have no application to this court, but the court may adjourn any case on its own merits not exceeding ninety days from the joining of issue.

§ 174. The appearance in said court, otherwise than in person, shall be governed by the law and practice of courts of record, so far as applicable.

§ 175. Said court shall be open daily (Sundays and holidays excepted) at ten o'clock a. m., and remain in session during seasonable hours or until the business of the day is disposed of, and shall be held by the special city judge, county judge or special county judge in the county wherein the city is situated, as hereinafter provided.

§ 176. Said court shall have a seal, which shall be furnished, and the form and design of which shall be prescribed by the common council of the city, and shall contain the words "City court of . . . . ., New York." And it shall remain in the custody of the clerk of said court.

§ 177. Said court shall have power upon two days' notice or order, to show cause, returnable not less than two days, on such terms as shall be just, not exceeding the cost entered in the judgment and five dollars additional, to open a judgment taken against either party on default, and shall have power to stay all proceedings pending the motion or order. This motion may be made within twenty days after judgment, whether transcript has been filed in the office of the clerk of the county in which the



city is situated or not, and the court shall have power to stay proceedings on any execution issued on said judgment and to direct the judgment to be cancelled on the books of the county clerk, and it shall be the duty of the county clerk to cancel the same upon service on him of a certified copy of the order certified by the clerk of the city courts.

§ 178. The common council of the city shall designate the place of holding said court, and provide suitable room, light, fuel and furniture and necessary blank-books, blanks and stationery for the use of said court, and shall provide for the payment of the salary of the city judge, special city judge and the clerk of the court.

§ 179. In all civil actions and proceedings brought in this court, the same costs and fees shall be paid, taxed and recovered as in actions and proceedings before justices of the peace, and in addition thereto, there shall be allowed to the prevailing party as an indemnity, in case he has appeared by attorney in a litigated case, the sum of seven dollars. In an action to foreclose a mechanic's lien, whether there be an appearance by the defendant or not, a sum not exceeding ten dollars to be fixed by the court and added to the judgment may be recovered. (Section thirty hundred and seventy-six of the code of civil procedure has no application to this court.) In criminal matters the same fees, costs and charges shall be made and collected as a charge collected in courts of special sessions and in the same manner.

§ 180. The list of trial jurors shall be made in said court in the same manner and by the provisions of law as they are made in courts of justices of the peace.

§ 181. A trial jury must be demanded two days before the day upon which the trial is set down for, except that a jury may be demanded on the return day of a summons, and in such case the court must adjourn the case to enable a jury to be drawn and summoned. Where a trial by jury is duly demanded and the fees paid, the clerk or deputy clerk shall produce the jury box in open court, shake it so as to thoroughly mix the ballots, and without seeing the name contained in any ballot to be drawn out

of the box, such a number of ballots as the court may order, not less than twelve, one after another and enter the names contained therein on a docket. Thereupon a venire must issue direct to any constable or policeman of said city, commanding him to notify the persons whose names are so drawn, to attend before said court at a time specified therein, not less than two nor more than ten, from the date thereof, to form a jury. They shall be notified in the manner as trial jurors drawn for courts of records at least twelve hours before the time fixed in the notice for this attendance. Neither the venire nor the notice shall contain the names of the party or parties to the action or proceedings in which it was issued, the officers having such venire in charge shall make a return to the court under oath of the manner in which the same has been executed, on or before the return day thereof.

§ 182. For the purpose of procuring a jury to try an action, the clerk shall fold the ballots as they were folded when drawn from the jury box and deposit them in a separate box to be kept for that purpose, and labelled number two, and when the ballots are then deposited, the jury shall be formed openly in the presence of the party, drawing six ballots from the box one after another. If a person whose name is drawn is challenged and set aside, excused or absent, another ballot must be drawn and so on until the required number of persons is obtained. (Sections ten hundred and twenty-seven to ten hundred and thirty-three, both inclusive of the code of civil procedure, applies to this court.)

§ 183. After the action is tried the ballots used in the trial shall be deposited in a box kept for the purpose and labelled "The city courts of . . . . ., jury box number three," the jurors shall be drawn from one box number two, and when box number one is exhausted the contents of box number three shall be emptied in box number one and the drawing shall continue as before.

§ 184. The city court shall have power to make rules governing the proceedings of said court not inconsistent with the law or with the general rules of the supreme court or the county court of the county in which the city is situated. Such rules shall be



entered upon the minutes of said court and published, as the common council may direct.

§ 185. No person shall be eligible to the office of special city judge unless he be a resident elector of the city and unless he has been a regularly admitted attorney of the supreme court of the state of New York.

§ 186. Said city judge and special city judge shall possess and exercise within the city, all the powers of justices of the peace, in civil and criminal matters now possessed and exercised by justices of the peace and by the recorder or police courts of the city, and the clerk of said court shall also have the same power to administer oaths and take acknowledgments as justices of the peace, and in addition thereto he shall have the power to take depositions and informations and to issue warrants thereon, and in civil action to take proof of debt where judgment is taken by default, and to enter judgment thereon in court and to continue and adjourn cases in the absence of all the judges of said court until said city judge or special city judge shall be again in court. It shall be the duty of the clerk of the court to attend all the sittings of said court.

§ 187. The special city judge must hold said court in case the city judge is absent from the city or incapacitated for any cause, or there is a vacancy in the office, upon notice thereof from the clerk of said court, and must also hold a separate court for the disposition of such business as the city judge may, from time to time, assign to him, to be specified in an order entered upon the minutes of said court, and said city judge and special city judge may hold their courts at the same time and in separate rooms.

§ 188. The county or special county judge of the county in which the city may be situated, may hold said court in the absence from the court room of the city judge and special city judge, and such county judge or special county judge shall receive the sum of ten dollars for each day he holds said court to be paid out of the city treasury, and any such sum so paid may be deducted from the salary of the city judge or special city judge in the discretion of the common council, provided the resolution to make such



deduction shall be passed within three months after such payment.

§ 189. Any judge holding said court while in session shall have the same power to preserve order and punish for contempts committed in his presence as are possessed by judges of courts of record.

§ 190. It shall be the duty of the clerk of the court to attend all sittings of said court.

§ 191. The clerk of the court on demand of a party in whose favor judgment shall have been rendered, shall give a transcript thereof under his hand and seal of the court, which may be filed and judgment thereof docketed in the office of the clerk of the county in which the city is situated, with like effect as a transcript of the docket of a justice of the peace.

§ 192. Said clerk shall give a bond to the people of the state of New York, with at least two sufficient sureties, to be approved by the city judge, in an amount not less than two thousand dollars, which shall be renewed annually on the first day of January in each year, and filed in the office of the city clerk, conditioned for the faithful performance of his duties as such clerk, and the accounting for a payment of all moneys which shall come into his hands. Any person injured by the default of such clerk, including the city, may maintain an action in his or its own name against said clerk and surety on said bond in any court having jurisdiction.

§ 193. It shall be the duty of said clerk to keep in the docket of said court a complete and accurate record of all process issued and returned to said court of all proceedings in any action or proceeding brought therein, of all the moneys paid into the said court or received by said clerk, to receive all moneys payable into the said court including fees and costs. No judge entitled to preside in said court shall receive any moneys payable therein or thereto. All fees and costs of said court in civil actions are payable in advance.

§ 194. On or before the last day of each month the said clerk shall make out and verify by his oath and deliver to the city

judge and treasurer a detailed statement of all fines, costs and fees received and earned by said court, and a like statement of all fees, costs and charges payable by the county in which said city shall be situated and pay over all moneys received by him to the said city treasurer, and said treasurer shall not pay the salary of said clerk until such statements are filed with and such moneys paid over to him; and said clerk shall keep a cash book in which shall be entered in detail with dates, all moneys received and paid out, which books during seasonable business hours shall be open to public inspection. It shall be the duty of said clerk and deputy to affix the seal of said court to all proper documents, to file all papers delivered to him for that purpose, and to make and certify for any person prepaying the fees therefor, at the same rate allowed to county clerks, copies of any portion of the docket of said court or of any of the records or proceedings thereof, or any documents on file therein, and any such copies, certified by said clerk or deputy under the seal of said court, shall be admitted as evidence in all courts of this state with the same force and effect as copies of the records and proceedings in any court of record when properly certified by the clerk thereof.

§ 195. After this act takes effect justices of the peace elected or appointed in and for the city, shall not have any power or jurisdiction within the city and any other court whose jurisdiction is provided for herein is hereby abolished.

#### TITLE XIV.

##### General Provisions.

Section 196. The city may have and use a common seal, may sue and be sued, and defend in any court; may take and acquire by gift, grant, devise, bequest or purchase, and may hold and convey for the purposes of the city all property, real and personal; and shall have all powers necessary to the exercise of the rights and discharge of the duties conferred and imposed upon it by this act. The enumeration herein of these powers shall not



be construed to deny, annul or disparage any power possessed by the city by virtue of any provision of any existing law consistent with this act.

§ 197. The political year shall begin with the first day of January, and the terms of office of all officers shall be computed by the political year, so that such terms shall end at the end of a municipal year, although the officer may not have been appointed until after the year shall have begun.

§ 198. No person, board or department in any city shall have the right to incur any indebtedness for the city, except as authorized by its common council or other municipal board or department in conformity with the provisions of this act.

§ 199. No action shall be maintained against a city for damages for injuries to person or property, claimed to have been caused by the negligence or misfeasance of the city or any of its officers or employes, unless within thirty days after the occurrence of the facts out of which the alleged liability arises a claim in writing signed by or in behalf of the person preferring the claim shall be filed with the city clerk, showing the nature of the claim, the character of the injury alleged, the circumstances under which it occurred and the amount of damages claimed to have been sustained; and in order to maintain action against the city for damages alleged to have been caused by the defective condition of any street or sidewalk under the control of the city, the plaintiff must allege and prove actual notice to the mayor or a member of the board of public works or the superintendent of public works of the defective condition of such sidewalk or street at least forty-eight hours before the accident occurred.

§ 200. No judge or juror shall be deemed incompetent upon the trial or conduct of any action or proceedings, to which the city shall be a party, by reason of his being a resident or taxpayer in the city.

§ 201. No witness shall be excused from testifying in any criminal proceeding or in any investigation or inquiry, before the mayor, the common council or any municipal department having the right to conduct the investigation, touching his knowledge



of any offense committed against the provisions of this act or any ordinance of the city, but such testimony shall not be used against him in any criminal prosecution whatever.

§ 202. The common council of the city shall in the year eighteen hundred and ninety seven adopt ordinances to carry into effect the provisions of this act, which shall take effect therewith.

§ 203. The vote on all resolutions calling for the expenditure of money in the common council or any of the administrative boards shall be by ayes and nays and entered upon the minutes.

§ 204. The city, through the common council, shall have the power to acquire by agreement or by proceedings, under the condemnation law, any private plants and equipments for lighting the city or furnishing the water supply therefor; but no expenditure for such purpose shall be made until authorized by special election of taxpayers called and conducted as herein provided for extraordinary expenditures.

§ 205. The meetings of the common council, and of all the administrative boards shall be public except when the public interests otherwise demand.

§ 206. The members of the common council and of all administrative boards shall serve without compensation; all other officers of the city shall receive such compensation as the common council shall determine.

§ 207. Every administrative board shall, on the first of January in each year, render to the common council a statement in writing of all receipts and expenditures by the board during the preceding year, giving the items thereof; such statement or report to be verified by the president of the board.

§ 208. The common council shall each year designate a newspaper to be known as the official paper, in which all official notices of the city shall be published.

§ 209. The common council shall have power to grant franchises to take effect only in the city, but no franchise shall be granted except upon the annual payment of a percentage on the gross earnings of the business conducted under the franchise, such per-

centage to be established by the common council and to be subject to change every five years.

§ 210. All statutes of this state, so far as they are inconsistent with the provisions of this act, are hereby repealed, but such repeal shall not affect any right already existing or accrued or any liability incurred by reason of any violation of any law now or heretofore existing or any suit or proceeding already instituted or action had under said laws or ordinances, unless otherwise expressly provided in this act. Nothing contained in this act shall be construed to affect any of the several acts or parts of acts to regulate and improve the civil service of the state of New York.

§ 211. This act shall take effect on the first day of January, eighteen hundred and ninety-eight, except that the first election under this act shall be held, as hereinbefore provided, on the day of the general election in eighteen hundred and ninety-seven.

Respectfully submitted.

HANNIBAL SMITH,

*Of the Commission to Propose Legislation for Cities of the Third Class.*

Dated February 1, 1896.

# THIRTEENTH REPORT

OF THE

NEW YORK

# Civil Service Commission.

COMMISSIONERS :

WILLARD A. COBB, WILLARD D. McKINSTRY,  
SILAS W. BURT.

TRANSMITTED TO THE LEGISLATURE, FEBRUARY 10, 1896.

WYNKOOP HALLENBECK CRAWFORD CO.,  
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1896.





# STATE OF NEW YORK.

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No. 52.

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## IN ASSEMBLY,

FEBRUARY 10, 1896.

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### THIRTEENTH REPORT

OF THE

### NEW YORK CIVIL SERVICE COMMISSION.

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ALBANY, *February* 10, 1896.

*To the Legislature :*

I have the honor to transmit herewith a copy of the annual report of the Civil Service Commissioners, the same being for the year 1895.

LEVI P. MORTON.

## Extracts from the Constitution of the State of New York.

ARTICLE I, SECTION 16. \* \* \* Such acts of the Legislature of this State as are now in force shall be and continue the law of this State, subject to such alterations as the Legislature shall make concerning the same. But all such parts of the common law, and such of the said acts, or parts thereof, as are repugnant to this Constitution, are hereby abrogated.

ARTICLE V, SECTION 9. \* \* \* Appointments and promotions in the Civil Service of the State, and of all the civil divisions thereof, including cities and villages, shall be made according to merit and fitness to be ascertained, so far as practicable, by examinations, which, so far as practicable, shall be competitive; provided, however, that honorably discharged soldiers and sailors from the army and navy of the United States in the late civil war, who are citizens and residents of this State, shall be entitled to preference in appointment and promotion, without regard to their standing on any list from which such appointment or promotion may be made. Laws shall be made to provide for the enforcement of this section.



# REPORT.

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ALBANY, N. Y., *December 31, 1895.*

*To the Governor:*

The Board of Civil Service Commissioners herewith submits its thirteenth annual report.

On the 1st of January last, E. Prentiss Bailey and DeForest Van Vleet, commissioners, resigned, and in their places were appointed Willard A. Cobb and Silas W. Burt. These gentlemen, with Willard D. McKinstry, who had served also on the former commission held their first meeting March 6, 1895, and organized by electing Willard A. Cobb as president.

The Commission for 1894 was instrumental in obtaining an amendment to the Civil Service Law, whereby a penalty was placed in it, and by reason of which they were able to secure a complete roster of the State service, stop all violations and make a reclassification. This, together with the adoption of an amendment to the Constitution protecting the law against nullification in the future, furnished a good basis for the present Commission to build upon. It is with satisfaction that it is able to report that a very large advance has been made toward the entire fulfillment of the law; that it has been enforced in all departments of the State service and a large number of positions added to the competitive schedule.

It can further report that the enforcement of the law has won for it respect and friends, thus making the task of enforcement

constantly more easy of accomplishment. For many years after the original passage of the act, in fact until its amendment in 1894, the impossibility of rigid enforcement through the lack of a penalty, gave a widespread idea that it had become little more than a farce and a respectable cloak for the same operations practiced under the system which it was designed to correct. This sentiment has now entirely changed. It has become widely known that the law is accomplishing what its framers designed, and the result is a larger public respect, more ready compliance on the part of the appointing powers, and a larger number and higher grade of applicants at the examinations.

The enforcement of the law has developed several interesting facts, one of which is that the requirement of an examination in itself works for the improvement of the State service even though no other requirement were made; for only those who at least think themselves competent to fill the position for which they apply are willing to submit to the examination test. Under the old system they only asked of themselves as to their ability to draw a salary; under this system they must be confident of their ability to do the work.

We point with pride to the fact that at the recent annual meeting of the National Civil Service Reform League, held at Washington, the State of New York was given the advanced position among all the States for progress it had made in the reform of its civil service. When it is remembered that until within two years it held the least advanced position, it will be seen that progress under the amended law and the constitutional provision has been most rapid. The progress of the past year is best shown by a comparison with the corresponding statistics of 1894.

By the report of 1894, the number of positions in the civil service of the State was 5,370, divided as follows:

Exempt by law.....	114
Schedule A.....	443
Schedule B.....	815
Schedule C.....	508
Schedule D.....	2,060

The Commission of 1894 had doubled the number of places in the competitive schedule over that of 1893, thus commencing the work which this Commission has carried on. The present Commission are able to make the following statement:

Exempt by law.....	115
Schedule A.....	227
Schedule B.....	1,702
Schedule C.....	462
Schedule D.....	2,907

It will be seen by this statement that while Schedule A, the exempt class, has been decreased by 216 positions; Schedule B, the competitive class, has been more than doubled within the present year, and increased by 887 positions over 1894; that Schedule C, requiring no competitive examinations, has been decreased by forty-six positions; while there has been an increase in Schedule D, owing largely to the taking in, under the provisions of the Constitution, of the department of prisons, before exempt, and the Long Island State Hospital.

The number of competitive examinations held during 1894 was thirty-nine, and during the past year, fifty-eight. The total num-



ber of applicants competitively examined in 1894 was 824, and during the past year, 1,460.

The total number of applicants for examinations of all kinds has been 2,948. The total number of appointments made from the eligible lists in 1894 was 183. During the past year the number has increased to 200.

These figures give some idea of the constantly increasing work of the Commission and also of its requirements. The increase of positions brought under the Civil Service Law has multiplied the number of examinations fourfold, and yet there has been no increase in the office force, or in the annual appropriations allowed the Commission since its original organization. A large number of new positions were but recently brought under the rule, for which examinations have not yet been provided, but must be very speedily, and the Commission has already exhausted its appropriation for such purposes which was provided to meet expenses until the 1st of October next. The Commission would, therefore, respectfully submit that the Legislature should provide for deficiencies in this department, and also for an increase in its annual appropriation, and a statement of the requirements will be presented for action in the appropriation and supply bills for this purpose. All departments in the State governments are now dependent for their smooth working upon this office, and it will readily be seen that its request for an increased appropriation is a reasonable and necessary one.

The Commission of last year had left in the hands of the Governor a classification of the State prisons and public works departments, these being brought, it held, under civil service rules by the adoption of the new Constitution. The Superintendent of Public Works was of the opinion that such event did not take place until

the Legislature had passed laws to carry the terms of the new Constitution into effect. The question being submitted to the present Commission it decided that it could not, under the Constitution, recall the classification which had been proposed. The Superintendent of Public Works appealed to the courts in the form of a suit by one of his appointees, to compel the Comptroller to audit his account which this Commission had refused, under its construction of the law, to certify to as a valid claim against the State. Judge Herrick, of the Supreme Court, rendered a decision in which he sustained the opinion expressed by the Commission. This decision will be found in full in the appendix. The Superintendent of Public Works has carried the case to the Court of Appeals where it is now pending.

### **Municipal Government.**

The Commission has during the past year, held meetings in several cities of the State to examine into the manner in which the law was being there enforced. The first inspection was made in New York, where it found the system in good working order and all departments under its rules. In Brooklyn, it is carried out, and the Commission is satisfied with the work of the local boards of these two largest municipalities in the State. At Syracuse a defective system was found, but a disposition evinced to correct it and bring it into full accord with the law. Such defects were pointed out and remedies suggested. At Buffalo, under the stimulus of a most excellent and efficient Civil Service Reform Association, the public service has come to a point of high excellence and the full requirements of the law are rigidly enforced. The chief examiner was instructed to visit Rochester and report



upon that city and his report will be found in the appendix. In that city little regard, it would appear, had been paid to the Civil Service Law. Reports from smaller cities, nearly all indicate a steady growth in the observance of the law, and in some of them a reasonably full compliance. In these smaller cities the task is a more difficult one owing to the fact that salaries paid are trivial, and there is little incentive for competition in securing the small appointments.

### Recommendations.

The most important feature of the Civil Service Law remains yet to be accomplished, and it can only be done by act of Legislature. When the Commission was first organized in 1883, they provided for the grading of clerks and like employes in the State service as follows:

First Grade (B). Clerks and like employes receiving an annual compensation of less than \$1,000.

Second Grade (B). Clerks and like employes receiving an annual compensation of \$1,000, or more, but less than \$1,200.

Third Grade (B). Clerks and like employes receiving an annual compensation of \$1,200, or more, but less than \$1,500.

Fourth grade (E). Clerks and like employes receiving an annual compensation of \$1,500, or more, but less than \$1,800.

Fifth Grade (E). Clerks and like employes receiving an annual compensation of \$1,800, or more, but less than \$2,000.

Sixth Grade (E). Clerks and like employes receiving an annual compensation of \$2,000, or more, but less than \$2,500.

Seventh Grade (E). Clerks and like employes receiving an annual compensation of \$2,500, or more.

This grading was made for the purpose of promotion, and



Schedule E was established as forming an eligible list from those examined in one grade for promotion to the higher. It was especially commanded by the Civil Service Law, but the proper steps to justly make such grades could not be taken, and, therefore, this classification has, in that respect been inoperative. The competitive system now having been largely extended, it is time that this delayed work should be resumed in order that the full intent of the law for promotions in the public service should be carried out.

The State Commission in Lunacy, under a law of 1895, recently established uniform grades of salaries throughout all its department.

It has not only resulted in a great saving to the State, but also in greater justice. A similar law, arbitrarily fixing salaries, should be passed, applying to all departments of the State government, and it would not only make a large saving of expense, but correct unjust inequalities of pay and furnish a basis of promotion by which one of the most important demands of the Civil Service Law can be fulfilled.

Under the old system, where appointments were made by favor, it was, of course, a temptation to the appointing officer to give his favorite as large a salary as his appropriation would allow. Further than that, there has been a tendency constantly, to increase salaries in all departments. By reason of this there is a wide discrepancy between the salaries paid to employes doing exactly the same kind of work, and in a large number of cases, as even a brief examination of the roster will show, many employes doing a class of work requiring a greater fitness, longer preparation and higher qualifications, are receiving less recompense than others whose work is merely routine and requires only limited qualifications.

This is not consistent with the idea of the Civil Service Law, whereby examinations are made the more severe in accordance with the qualifications required for the position applied for. The less severe examination often puts the applicant in the position of best pay, and the rigid examination, calling for the best talent, may secure for the applicant a position of the least pay. We would recommend that a law be enacted requiring the Civil Service Commission to revise the salary list of all appointed State officers, whose salary has not already been fixed by law, with a view of establishing a uniform rate for uniform service. When that labor has been performed, it will, with what has already been done, complete what may be known as the formative period of the Civil Service Law.

At a meeting of April 11th, Chief Examiner Carmody, having presented his resignation to take effect on the appointment of his successor, an open competitive examination for this position was ordered. The Commission felt that it was most inconsistent that this position in its own service should be exempt from the requirements which it insisted upon in the appointees of other departments; that it was a position which should not be subject to change of administration, but which to secure good service, should be made continuous through good behavior. It, therefore, ordered that the place should be filled by competitive examination, and Commissioner Burt was delegated to prepare a scheme of examination furnishing a fair test of the qualities required of applicants for the place. Commissioner Burt performed this duty and such examination was held in the Assembly parlor of the Capitol on August 27th, 28th and 29th.

For nine years the position of chief examiner of the Commission had been filled with regard rather to the partisan character of the



appointee than to his intrinsic fitness for his official duties. When the present Commission was organized, Mr. Thomas Carmody, appointed in 1893, was the incumbent, and it was evident that efforts would be made looking to his removal and the substitution of some person in partisan accord with the new State administration. In fact such efforts were begun and threatened a continuance of the method of selection that had previously obtained for several years. It was obvious to the Commission that, while the law had reasonably required that only two of its own members should be adherents of the same political party, and to that extent, in order that the minority might be represented, had recognized partisan considerations, the whole trend of the law is toward an absolute disregard of party affiliations in appointments to the civil service; and, in fact, in regard to the great bulk of the service, appointments because of partisan opinions, affiliations or actions are expressly prohibited. It seemed grotesque that in the very office of the Commission there should be such a conspicuous disregard of the general principle of the Civil Service Law. In this place, also, a stable tenure is of the first importance, as experience and training are among the most valuable qualifications its incumbent can possess. Mr. Carmody coincided in these views of the Commission, and it was agreed that the only practicable and safe means by which the position of chief examiner could be made reasonably stable was through a selection by open competitive examination. This method is also in consonance with the Constitution, the law, and in harmony with the general principles that have governed the Commission.

Great care was exercised in giving broad publicity to the proposed examination, and in devising for it such a scheme and scope



as would best secure the ends in view. The position of chief examiner demands a certain amount of executive ability, a qualification that, in the opinion of many, could not be tested in a competitive examination; an opinion that has been instrumental in placing executive positions mainly in the exempt or non-competitive schedules. The Commission believed that such opinion is not well founded, and by obtaining from each applicant a full account of his education and subsequent business career, with names of persons connected with or cognizant of the same, and by procuring from the latter parties, confirmation of the statements and answers to special and carefully prepared queries, there were gathered data that being submitted separately to three highly competent and disinterested judges, were marked by them relatively, and under the term "general competency," without knowledge on the part of each of the judges of the markings of the other two.

The result of the examination was the selection from the three competitors standing highest on the eligible list of Mr. Charles S. Fowler, of Ithaca, who has been appointed for the usual probationary period, beginning January 1, 1896, with the belief that he will fully justify such selection and the grounds and methods on which it rests. The only drawback to the satisfaction of the Commission on this result, is that it has been deprived of the continued services of Mr. Carmody, who has highly commended himself by the able and faithful discharge of his official duties during the year, and who, in his return to private life, carries with him the esteem of all the members of the Commission.

### Popular Misconceptions.

While there is yet, on the part of many, ignorance of the pur-

pose of the Civil Service Law and the methods by which its objects are attained, such ignorance of it and prejudice against the system have been largely overcome. The practicability of the examinations has been questioned, and it has also been said that the system favored those who had been so fortunate as to have had a high school or college education. In answer to this objection are printed herewith lists of questions which have been used in various examinations the past year, and a glance at the eligible lists and of the educational opportunities of those who have won appointments is a sufficient disclaimer. The fact, as shown, is that it is a thoroughly American system under which every citizen has an equal chance. This question is more fully discussed in Chief Examiner Carmody's report printed herewith, to which we respectfully call attention.

### Conclusion.

In conclusion, the Commission of 1895, desires to express its thanks to you for the cordial co-operation given to its efforts to advance and enforce the Civil Service Law. The law creating the Commission places the full power in the hands of the executive, making the Commission a merely advisory board. Except, therefore, that the chief executive is in harmony with the spirit of the law, no advancement is possible, and if he is not in such harmony the law may be practically nullified. It is, therefore, as an advisory board that we ask to express our gratification that our suggestions have uniformly been accepted, and our recommendations, without exception, given force by executive approval. Feeling that a great advance has been made and that creditable work has been done during the past year, which we believe will be found a

most important one in the history of the Civil Service Law, we beg to thank you for the strong support you have given to all our efforts.

Respectfully,

WILLARD A. COBB,

SILAS W. BURT,

WILLARD D. MCKINSTRY.

*Commissioners.*



# APPENDICES.

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## APPENDIX A.

1. CHIEF EXAMINERS' ANNUAL REPORT.
2. CHIEF EXAMINERS' SPECIAL REPORT ON INVESTIGATION OF THE ROCHESTER CIVIL SERVICE BOARD.

## APPENDIX B.

STATISTICAL TABLES OF EXAMINATIONS.

## APPENDIX C.

ORGANIZATION OF COMMISSION, EXAMINATION BOARDS, ETC.

## APPENDIX D.

1. LISTS OF APPOINTMENTS.
2. LIST OF DEATHS, PROMOTIONS AND TRANSFERS IN, AND REMOVALS AND RESIGNATIONS FROM, THE PUBLIC SERVICE, REPORTED SINCE THE LAST ANNUAL REPORT.

## APPENDIX E.

1. AMENDMENTS TO CIVIL SERVICE RULES.
2. AMENDMENTS TO CIVIL SERVICE CLASSIFICATION.
3. REQUESTS FOR CHANGES IN THE CIVIL SERVICE CLASSIFICATION, DENIED.

## APPENDIX F.

1. AMENDMENTS TO CITY REGULATIONS, APPROVED.
2. PROPOSED AMENDMENTS TO CITY REGULATIONS, DISAPPROVED.
3. CIVIL SERVICE REGULATIONS OF THE CITY OF JAMESTOWN, APPROVED.

APPENDIX G.

1. OPINIONS OF THE ATTORNEY-GENERAL — 1895.
2. DECISIONS OF THE SUPREME COURT AND COURT OF APPEALS—  
1895.

APPENDIX H.

SAMPLES OF EXAMINATION QUESTIONS.

APPENDIX I.

CIVIL SERVICE STATUTES, RULES, CLASSIFICATION, REGULATIONS,  
ETC.

APPENDIX J.

ROSTER OF STATE EMPLOYES.

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# A P P E N D I X A.

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1. CHIEF EXAMINER'S ANNUAL REPORT.
  2. CHIEF EXAMINER'S SPECIAL REPORT ON INVESTIGATION OF THE  
ROCHESTER CIVIL SERVICE BOARD.
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# Chief Examiner's Annual Report.

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ALBANY, N. Y., *December 31, 1895.*

*To the New York Civil Service Commission:*

GENTLEMEN.—I have the honor to submit the following report of examinations held during the past year in this department.

Very respectfully,

THOMAS CARMODY,

*Chief Examiner.*

## Competitive Examinations.

### *Number Examined.*

The number of applicants who entered the competitive examinations during the past year is largely in excess of that of any year since this department was organized. Some of this excess is due to the new positions which were brought into this schedule by the classification of last year and the amendments thereto during the present year. Excluding the number who entered these examinations, the increase is about the same as during each of the two preceding years, and indicates that, outside of an occasional or abnormal gain, caused by special circumstances or emergencies, there is now a steady and substantial growth in this direction. As against 236 applicants in 1884, the year the Civil Service system was started in this State, there were upwards of 1,400 this year. This gain has nearly all been made during the last three years. During the first nine years the increase was slight and not constant—not reaching at any time more than 150 in excess of the first year. The year 1893 showed a gain over the preceding year of fifty per cent.; 1894 showed a similar gain over 1893, while this year the gain will be about seventy-five per cent. over last year. The significance of this lies in the fact that the number of applicants is largely controlled by the confidence which they have in Civil Service examinations, and the facilities furnished by the Commission for trying these examinations.

It is noticeable that in localities where there is a strong sentiment in favor of Civil Service methods, the applicants are more numerous and usually more intelligent than elsewhere. This is also true of those regular annual examinations, the nature of which have become familiar to the public. While this increase is largely due to the growing popularity of this method of filling public offices, it is also, to a great extent, the cause of that popularity. It is fair to assume that those who enter these examinations have confidence in their fairness and in the opportunity thereby furnished for obtaining a position, and that being permitted to judge of the character of these examinations and the safeguards with which they are surrounded, a knowledge is being widely disseminated which is fast displacing the ignorant hostility which has stubbornly contested the progress of the reform idea.

#### *New Examinations.*

By reason of the reclassification of December, 1894, many new places were brought into the competitive schedule. This schedule was still further expanded by transfers made during the year. These changes have a greater significance than merely enlarging the competitive class. They extended competition into many hitherto untried fields, to positions which had been supposed to present insuperable obstacles to this form of examination. Among them are the positions of bank examiner, electrician, dynamo tender, law clerk, carpenter, plumber, fireman, draughtsman; milk, vinegar, cheese and butter experts in the Department of Agriculture; excise inspectors in New York city, and many special positions in the different State institutions. The result of these examinations clearly justifies the action of the Commission in including them in the competitive schedule.

They were all well attended, and the applicants in all cases numbered many with skill and experience. The papers in these cases were prepared by experts in their various lines, and were confined to the technical or expert knowledge requisite for the filling of the positions. To this were added questions on education, training and experience, and where feasible, practical work was given the applicants, as in the case of carpenters, who were taken into a shop, and required to show their familiarity with tools, etc. The heads of departments and institutions for which such examinations were held, although in some cases very much opposed originally to this method of making selections, have almost invariably acknowledged its efficiency, after an examination of the methods used and the lists obtained. Many of these examination papers were inspected by an investigating committee of the Legis-



lature, and it is to be hoped that its views as to their character will be promulgated.

Where appointments have been made from the lists thus obtained, they have given entire satisfaction so far as this department has any knowledge. Under their respective headings will be found more specific information and all-important statistics of these examinations.

### *Character of Examinations.*

Specimen questions are given in the appendix, and will, it is hoped, receive the inspection of those who maintain that Civil Service examinations are scholastic in their character, and conceived for the purpose of giving advantage to college graduates and impractical theorists. The object of the examiners has been to ascertain the qualifications of applicants for the positions sought, and to eliminate, so far as possible, all extraneous matter from the examination. The examiners have kept in mind the fact that this is a business and not an academic department, and the papers have been prepared with a view of giving prominence to those qualifications which are most useful in doing the State's work. There are some positions for which the examinations are necessarily scholastic, as for certain positions in the Regent's department and in the Department of Public Instruction. In certain other positions, such as general clerkships, where the duties vary, some places requiring skill in one branch and some in another, questions on general intelligence are inserted, with such small relative weight in the marking that even here business experience and knowledge almost always obtain precedence. And to still farther insure the recognition of special ability, in this examination certain optional subjects are allowed, such as bookkeeping, expert penmanship, drawing and advanced arithmetic, one or more of which may be taken by any one who has completed the obligatory subjects, and supplemental eligible lists are made up in each of those optional subjects from which certifications may be made, provided the candidate is also in the regular list. The above subjects have been found sufficient to meet the demand for special or expert qualifications in the line of clerkships, and to insure the recognition of such qualifications where possessed by applicants.

In the examination generally, we have endeavored to ascertain the duties to be performed by appointees and to confine the examination to those duties if possible. It is often urged against such examinations that there are many who possess sufficient knowledge and ability to perform any special work, but who have not the ability to tell it in

an examination. This is sometimes true, but it is also true that there are others who possess both the ability to do the work, and the capacity to tell what they know in an examination, and they are, undoubtedly, more desirable in the position. We have always found enough of the latter kind to fill any demand. The purpose of the Civil Service is not only to get competent men to fill public positions, but to get the most competent of those who apply.

### *Growth of Competition.*

The additions made to the competitive schedule during the last two years have included in it nearly every kind of position in the State service. For years it seems to have been conceded that where a person sustained confidential relations toward his superior officer, or where he occupied a fiduciary position, the position could not be filled by competition. Exemptions were nearly always granted where such facts were made to appear to the Commission, as the letter of the law seemed to command it. But the new amendment to the Constitution establishes an entirely different standard, and provides that a competitive examination shall be had, "wherever practicable." This amendment was dictated by the well established results of competition. The law was passed when the whole idea of Civil Service examinations was new and experimental in this State, and wisely left almost unlimited discretion to the Governor and Commission. The amendment to the Constitution embodies the wisdom of that experience, and makes the question of competition depend not on the discretion of any one, but on the fact of the practicability of the test. And that it is practicable to fill all of the above-mentioned positions by competition is proven by experience. It has been done and successfully done. During the present year examinations for such positions have been held and the results have been entirely satisfactory both to the Commission and to appointing officers.

It is often said that the Commission has no means of ascertaining the integrity necessary to fill a position of trust or confidence. It is a safe assertion that it has much better means of doing so than obtained under the old system of personal selection, and that it proceeds to apply those means quite as intelligently and cautiously as appointing officers would do, had they the power of personal selection. Every applicant must present certificates of character from at least three citizens of his acquaintance. He must give, under oath, preliminary information regarding his training, experience, former occupations, etc. In addition to this, the Commission has the power to



make still further inquiry into these matters by investigation, where it has the power to issue subpoenas, administer an oath, and to dismiss from the eligible list any person found not to possess good character. These safeguards have thus far protected the service from the intrusion of untrustworthy and immoral persons. Indeed, it is a comparatively safe assertion, that such persons do not seek advancement by open competition. Secrecy and deception are oftener the methods employed, and we would be surer to find them in the train of the patronage hunter, to whom they may be sometimes useful, than in Civil Service examinations where they can hope for no recognition. A person who comes forward and offers to submit himself to a public test, and who is willing to meet all others who may desire to enter that test, and who realizes that if he succeeds it is by his industry and ability alone, and that it is through such qualities that he must hold his place and not by friendship or favoritism, possesses a merit that is out of harmony with indolence and want of integrity.

There are many persons now occupying such positions in the State service, selected from the Civil Service lists, and I believe there is yet to be recorded a case of breach of trust or duty. The results thus far reached would warrant a still further extension of this schedule. Most positions that are now in Schedule C could very easily be filled by competition. If it is practicable to measure the capacity of one person by examination, the capacity of a whole class may be measured, and different degrees in which they possess the requisite qualifications may also be ascertained.

There is little or no merit in the non-competitive examination. It is inconsistent with the progressive reform idea. It is a compromise between the Civil Service and the politician. It has all of the so-called shortcomings of the competitive method without any of its merits. The only place to which, it seems to me, it should be extended, is to the subordinate positions usually assigned to Schedule D. Here the pay is so small and the tenure of office is so uncertain, and the character of applicants so unreliable, that it is either a choice between this form of examination or none, and the standard of service is raised to some extent by requiring an elementary examination.

When we stop to consider that now there are filled by competition such positions as superintendent of State hospitals, and their medical assistants, with their vital and manifold responsibilities, where the duties are of an executive as well as fiduciary nature, and bank examiner, with its almost sacred trust and confidence, can it be said that a mere clerk, who now and then writes a confidential letter, or



has the custody of a few dollars, should be exempt? Competition is now the settled policy of the State. It has behind it the force of experience, intelligence and justice. It is supported by the Constitution and the law, and by judicial decisions which are clear and forcible. Much has happened recently to impress this truth upon the public. If the same tendency is kept up, we will ere long have a classification which is just and consistent, and which will be in such a settled and accepted form, that appointing officers, the last to concede its advantages, will be the first to profit by them.

#### SCHEDULE D EXAMINATIONS.

We have endeavored during the year to raise the standard of examinations in this class by following the policy inaugurated last year, of giving an examination upon the duties of the various positions, in addition to an elementary English examination. The difficulty is constantly confronting us of getting Schedule D Boards of Examiners to report promptly to this office, owing to the miscellaneous nature of the examinations, and the fact that the services of examiners are rendered gratuitously. However, the results of the examinations during the year in this schedule are satisfactory.

#### Competitive Examinations.

##### *Electricians and Dynamo Tenders.*

On January 16th, at Albany, an examination was held for dynamo tenders and house electricians. This is the first examination of the kind held in this State, the position being a new one. For the position of dynamo tender there were 14 applicants, 6 of whom qualified. For that of electrician there were 19 applicants, 8 of whom qualified. The list thus obtained having become exhausted, a second examination for these positions was held on October 29th, and for the purpose of giving better opportunity to applicants in different sections of the State, it was held at Buffalo, Syracuse and Albany. For the position of electrician there were 8 applicants, and for that of dynamo tender, 10; 3 qualifying among the former and 5 among the latter. In both of these examinations the papers were prepared by an expert familiar with the duties of the position. They were entirely technical and so far as possible practical. The sufficiency and fairness of the papers are indicated by the fact that applicants of experience only were able to pass the examination. In both cases eligibles were

obtained who were found to possess, upon being employed, the requisite ability for the discharge of their duties.

*Teachers, House of Refuge for Women at Hudson.*

On February 12th an examination was held at the House of Refuge for the position of teacher at that institution. There were 3 applicants, 1 of whom qualified. This also was a new examination.

*Teachers, Institution for Feeble-Minded Children, Syracuse.*

On March 29th an examination for teachers at the Institution for Feeble-Minded Children, at Syracuse, was held at that institution. There were 3 applicants, 2 of whom qualified.

At both of these institutions the standard followed in these examinations was necessarily low, owing to the fact that the inmates are of feeble intellect, and a teacher must unite the qualities of matron with those of teacher. This also accounts for the small number of applicants who tried the examinations.

*Teachers, Industrial School, Rochester.*

On April 27th an examination was held at the State Industrial School, Rochester, for the position of teacher at that institution. There were 8 applicants, 3 of whom qualified. Another examination was held, at the same place, for teachers, on July 16th. In this examination there were 11 applicants, 3 of whom qualified.

*Teachers, Thomas Orphan Asylum, Versailles.*

On September 5th, at the Thomas Orphan Asylum, Versailles, an examination was held for teachers, at which there were 6 applicants, 4 of whom qualified.

On November 1st, an examination for music teacher was held at the above institution. There were 3 applicants, 2 of whom qualified. These also were new examinations, the institution having been brought under the Civil Service rules during the year.

*Teachers, State School for the Blind, Batavia.*

On September 17th, an examination was held at the State School for the Blind, Batavia, for teachers at that institution. There were 9 applicants, 5 of whom qualified.



*Instructor, State Industrial School, Rochester.*

On March 23d an examination for band instructor at the State Industrial School, Rochester, was held at that institution, at which I was assisted by Prof. John L. Gartland, of Albany, who prepared a special paper on band instruction and conducted an oral examination and a test in band instruction. There were 4 applicants, 3 of whom were found qualified. This was the first examination of the kind held under the rules of the Commission.

On May 11th an examination for military instructor at the above institution was held at that place. The examination covered arithmetic, hand-writing and general information, to which was added a paper on military tactics and an oral examination. In addition to this the applicants were each given command of a company of the inmates and required to put them through a drill.

Members of the board of managers were present at the examination and expressed themselves as highly satisfied with the methods employed and with the ability of the applicants. There were 9 applicants, 4 of whom qualified. At this examination I had the assistance of Captain Abraham Gridley, who prepared a paper in military tactics and conducted the oral examination and the drill. This also was the first examination of the kind held under the Civil Service rules.

In addition to the above examinations a number of examinations were held through the year for instructors in the different industrial branches taught at this institution, such as care and firing of steam boilers, upholstering, dress-making and millinery, the statistics of which will be found in the appendix. This is the second year that examinations for these positions have been held under the rules of the Commission and a great improvement was found in the intelligence of the applicants. Although some doubt was entertained by the managers of the institution when these positions were first placed in the competitive schedule, yet the result of the examinations has given entire satisfaction and they have been voluntarily extended to every instructorship in this branch of the institution. In all of these examinations I have received the valuable advice and assistance of Mr. F. H. Briggs, superintendent of the school.

*Collector and Assistant in the State Laboratory.*

On March 12th an examination for collector of specimens and assistant in the State laboratory was held at Albany. There were 3 applicants, all of whom qualified.



*Law Clerks.*

On March 14th, at Albany, an examination was held for the position of law clerk in the Statutory Revision Commission. There were 16 applicants, 6 of whom qualified. The examination covered constitutional law and construction of statutory law.

*Examiners, Department of Regents.*

On March 22d an examination was held for special examiners in the Department of the Regents of the University. There were 24 applicants. The examination was divided up in subjects, an eligible list being made up for each subject and each applicant allowed to take as many of the subjects as his time would allow. The subjects covered by this examination were, civics, economics, trigonometry, physics, American history, geometry, geography, algebra, geology, Latin, German, English, arithmetic, and physiology and hygiene. In civics and economics was obtained an eligible list of 2; trigonometry 1; physics 1; American history 2; geometry 2; geography 2; algebra 3; geology 2; Latin 2; German 2; English 5; physiology and hygiene 1; arithmetic 5.

On June 26th a special examination for examiner in French and general history in the above department was held at Albany, at which there was 1 applicant who was found qualified.

On June 27th a special examination for examiner and instructor in the above department was held in the city of Albany, at which there was 1 applicant who was found qualified.

*Examiners, Department of Public Instruction.*

On May 29th an examination for examiners in the Department of Public Instruction was held at Albany and Rochester. The subjects were divided into groups, as follows:

*First.* Mathematics, including arithmetic and algebra.

*Second.* Science, including physics and physiology and hygiene.

*Third.* English and history, including grammar, composition, geography, American history and civil government.

*Fourth.* School law and methods, including school law, methods and current topics.

In the first group there were 23 applicants, 13 of whom passed. In the second group there were 3 applicants, 2 of whom passed. In the third group there were 14 applicants, 7 of whom passed. In the fourth group there were 11 applicants, 7 of whom passed.

*Inspector of Teachers' Training Classes and Compiler of Educational Reports, Department of Public Instruction.*

For the above positions an examination was held on the 14th and 15th days of November, at Albany, the subjects being substantially the same as those for the examiners. For inspector there were 10 applicants, all of whom qualified, and 10 for the position of compiler, all of whom qualified. Both the examination for examiner and that for inspector and compiler were new examinations, the positions having been brought into the competitive schedule by the classification of last year.

*Bank Examiners.*

On April 18th an examination was held at Albany for the position of bank examiner. There were 16 applicants, 10 of whom were found qualified. This examination was brought under the Civil Service rules by the classification of 1894. The questions were prepared by an expert and modified and rearranged after consulting with the Deputy Superintendent of Banking, and made to cover bank laws, bank methods, bookkeeping and familiarity with the examination of banks, savings banks and loan associations. The applicants were all more or less experienced in bank matters, and a very acceptable eligible list was obtained.

*Experts, Department of Agriculture.*

On May 10th an examination was held for the position of milk, vinegar, cheese and butter experts in the Department of Agriculture, which were classified in the competitive schedule last year. For the position of milk expert there were 16 applicants, 5 of whom qualified. For the position of vinegar expert there were 5 applicants, 1 of whom qualified. For the position of cheese expert there was 1 applicant, who was found qualified. For the position of butter expert there was 1 applicant, who failed to qualify. This examination covered the technical work pertaining to the positions and also the experience and training of the applicants. It was arranged after consultation with the Department of Agriculture and with the assistance of Mr. George A. Smith, lecturer before farmers' institutes.

On November 14th another examination was held for the positions of milk and vinegar expert in this department at Buffalo, Syracuse and Albany, and covered the same matters as the former one. For vinegar expert there were 10 applicants, 5 of whom were found qualified. For milk expert there were 20 applicants, 13 of whom



were found qualified. As these appointments are made by districts, it was thought best to hold this examination at the above places for the convenience of the applicants in the various districts.

*Prison Guards.*

Examinations for guards in the State prisons, which positions were classified pursuant to the constitutional amendment by your commission, were held as follows: At Clinton on May 8th, in which there were 23 applicants, 11 of whom were found qualified; at Auburn on May 15th, in which there were 74 applicants, 35 of whom were found qualified, and at Sing Sing on May 22d, in which there were 18 applicants, 11 of whom were found qualified. The weights and measurements of the New York City Civil Service Board for policemen were adopted in this examination. In addition to the written examination an oral examination was given including color test, observation tests, accuracy in description, and matters of general intelligence.

*Excise Inspectors, New York city.*

On June 26th and 27th, at the rooms of the New York City Civil Service Board, an examination was held for excise inspector, pursuant to a resolution of your board classifying this position in the competitive schedule. The examination covered arithmetic, State and local geography, excise law and duties, handwriting and spelling. As there were 220 applicants, it was necessary to divide them into four parts and arrange four sets of examination questions. After the written examination was concluded, those who had successfully passed it were given an oral examination upon matters of general intelligence and duties by your examining board, consisting of John H. Mann, president, Walter B. Safford and Francis A. Thomas, M. D. The thanks of the Commission is due for the careful and intelligent manner in which this board performed the immense labor entailed by this examination.

*Stenographer, State Historian.*

On July 2d, at the office of the Commission at Albany, a special examination was held for the position of stenographer in the office of the State Historian, at which there were 14 applicants.

*Steam Engineers.*

On July 18th an examination for steam engineer was held at Albany, Syracuse and Buffalo, at which there were 7 applicants, none of whom



were found qualified. This is one of the examinations about which there seems to be a great deal of ignorance in the minds of those competent to fill the position. It is with difficulty that we are able to make applicants understand that the examination for such positions covers only the duties of the position. Many applicants are frightened away from the examination by the idea that the examination is scholastic. The knowledge disseminated by means of the above examination was beneficial in the second examination held for this position on October 29th. There were 26 applicants in this examination, in which 6 were found qualified. There is no doubt that now, since the nature of these examinations has become more widely known, there will be little difficulty in obtaining competent eligible lists.

A special examination for this position was held at the Custodial Asylum, Rome, on May 3d, at which there were 6 applicants, 1 of whom was found qualified.

*Draughtsman, office of the Capitol Commission.*

On July 26th an examination for the position of draughtsman in the office of the Capitol Commission was held at Albany, at which there were 7 applicants, 5 of whom were found qualified. This was the first time that an examination for this position was held under the rules of the Commission. The questions were prepared by an expert in the office of the Capitol Commission, and tested both the experience and technical skill of the applicants. So satisfactory was this examination to the Capitol Commission and so commendable the work of the applicants that all but one received appointment.

*Guards, Elmira Reformatory.*

On July 30th the regular examination for the position of guard at the Elmira Reformatory was held at that institution. There were 112 applicants, 50 of whom were found qualified. The examination covered the usual subjects, and owing to the increased number of applicants a more severe test was applied, which resulted in the disqualification of the majority of the class. I had the assistance in the oral examination of Superintendent Brockway.

*Fish Culturist, Fisheries, Game and Forest Commission.*

On August 7th an examination for the position of fish culturist in the Fisheries, Game and Forest Commission, was held at the office of the Commission at Albany. There were 4 applicants, 2 of whom were found qualified. The questions in this examination were prepared by

Mr. Tarleton H. Bean, and covered the historical and scientific features of the subject of fish culture. This position was placed in Schedule B during the present year by your board.

*Bookkeepers, Industrial School, Rochester.*

On August 16th a special examination for bookkeepers at the Industrial School, Rochester, was held at that place, at which there were 3 applicants, all of whom were found qualified.

*Time-keepers, Capitol Commission.*

On August 21st an examination for time-keeper in the office of the Capitol Commission was held at Albany, at which there were 14 applicants, 13 of whom were found qualified. This examination covered a time test in addition, and an examination in the use of fractions as applied to the keeping of time of laborers in that department, in which both rapidity and accuracy were marked.

*Hospital Superintendent.*

On September 10th an examination was held at the rooms of the Commission at Albany for the position of hospital superintendent, at which there were 5 applicants, all of whom were found qualified. These positions come under the supervision of your medical examining board of which Dr. Samuel B. Ward is chairman. This is a conspicuous example of the injustice of the law governing the pay of examiners in this department. No one but practitioners of the highest standing can properly perform the duties assigned to this board, yet the pay allowed by law is inadequate to compensate for such services. It should be said to the credit of this board that its members have performed, with commendable industry and intelligence, the work that has been assigned to them without the expectation of having these services suitably rewarded.

*Physicians.*

On September 12th an examination for woman physician in the hospitals of the State was held at the office of the Commission at Albany, at which there were 2 applicants, both of whom were found qualified.

On October 22d, at the office of the Commission at Albany, an examination for the positions of first assistant physician and junior assistant physician in the State hospitals was held. In the former examination there were 12 applicants, all of whom were found quali-



fied, and in the latter 9 applicants, 8 of whom were found qualified. These examinations were also under the supervision of your medical board.

*Apothecaries.*

On November 7th and 8th an examination for apothecaries was held at Buffalo, Syracuse and Albany, at which there were 7 applicants, 5 of whom were found qualified.

*Stenographers.*

The annual examination for stenographers was held at Buffalo, Syracuse and Albany, instead of at Albany alone as heretofore. At Buffalo the examination was on November 7th; at Syracuse, November 8th; at Albany, November 13th. The test was modified by eliminating long-hand dictation and inserting a time test in transcribing notes in long-hand. This test was strictly applied, owing to the number of applicants. There were 98 applicants, 35 of whom were found qualified.

*Compiler of Educational Reports, Department of Public Instruction.*

On November 14th, at the office of the Commission at Albany, a special examination for compiler of educational reports in the Department of Public Instruction was held, at which there were 10 applicants, all of whom were found qualified.

On November 15th an examination for inspectors of teachers' training classes in the above department was held at Albany, at which there were 10 applicants, all of whom were found qualified. This is the first time that an examination for either of these positions was held under the rules of the Commission. The examinations covered the following subjects for compiler of educational reports: Arithmetic, algebra, geography, grammar, history, bookkeeping, current topics, civil government, composition, spelling and penmanship. For inspector of teachers' training classes: Arithmetic, algebra, geography, grammar, history, bookkeeping, current topics, civil government, composition, spelling, penmanship, drawing, physics, physiology methods, school law and history of education.

*Clerks.*

On December 4th the annual examination for clerks was held at New York, Albany, Binghamton, Buffalo, Syracuse and Watertown,



at which there were 126 applicants, 93 of whom were found qualified. The scheme of this examination was modified by eliminating the test of copying manuscript letter and inserting in its stead current topics.

*Assistant Engineers and Levelers, Department of State Engineer.*

On December 6th, at the city of Albany, an examination was held for the position of assistant engineer and leveler in the Department of the State Engineer. For assistant engineers there were 31 applicants, 19 of whom were found qualified. For levelers there were 62 applicants, 38 of whom were found qualified.

On December 7th, at the same place, an examination for rodmen and chainmen in this department was held. For the former there were 79 applicants, 55 of whom were found qualified. For the latter there were 117 applicants, 95 of whom were found qualified. The papers in this examination were prepared and marked by your examining board, consisting of Prof. T. M. Wright, of Union College, Prof. E. A. Fuertes, of Cornell University, and Mr. C. L. Johnson, of Utica. The immense amount of work entailed by these examinations also emphasizes the necessity of giving reasonable compensation to examiners. The members of this board are compelled to perform their labors more through a sense of patriotism and devotion to the cause of Civil Service than to the insignificant compensation which they are permitted to receive.

*Director of the Pathological Institute.*

On December 20th an examination was held at Albany for the position of director of the pathological institute to be established by the State Commission in Lunacy for the State hospitals, at which there were 2 applicants, 1 of whom was found qualified. The questions for this examination were prepared by Professors T. H. Pruden, Herman Biggs and M. A. Starr, and covered the subjects of pathological anatomy of the nervous system, technique and methods of neural investigation, the architecture of the nervous system and the lines of research to be applied to study of pathology of insanity. The fact that so important a position was freely submitted to the competitive test indicates the confidence which that department has in this form of examination, the result, no doubt, of the pronounced success in the past of filling the very responsible positions under its supervision in this way.

On December 26th, at the office of the Commission at Albany, an examination was held for the positions of draughtsmen and map-

makers in the Department of the State Engineer. The examination covered the general principles of drawing and map-making, together with topographical drawing and map projecting. There were 16 applicants, 7 of whom were found qualified. Questions for this examination were prepared by Prof. E. A. Fuertes, of Cornell University.

### *Examining Boards.*

I have heretofore had occasion to speak of the necessity of a revision of the law governing the pay of examining boards. This question can not be too emphatically laid before the Legislature, as it constitutes one of the greatest embarrassments in the work of this department. That law seems to have been conceived in the idea that citizens of the State would voluntarily do this work out of a sense of patriotism and love. These sentiments may have been sufficient to meet the demands upon them in the early days of the Commission, but they have long since become exhausted, and the question now presents itself in its practical and business aspect. I have frequently been compelled to call in expert assistants, whose work, if performed elsewhere, would command a suitable recompense, but who have preferred to labor gratuitously rather than take the amount allowed by the State. One conspicuous instance occurred during the past year where it was necessary to employ the services of an expert who is capable of commanding \$25 per day in his work, and who, having performed some work as an examiner for this department, refused to take the \$5 allowed, preferring to work for nothing. Surely the State can not afford to be put in this ignominious position. It must again be remembered that the examinations in this department, so far as possible, take a practical turn, and persons in the employ of the State who are familiar with the duties of the positions for which examinations are held, are invaluable to this department. But such men usually and justly refuse to perform such labor, in so much as the law denies them compensation. We have been compelled by reason of these drawbacks to cast about in search of competent examiners, as the occasion has required it, wherever they could be found, who were willing to serve for the compensation allowed, or for no compensation, as the case may be. There is no other branch of the State service where men are commanded by law to do such work for nothing, and in this department, where the work is so exacting, complicated and extensive, this anomaly should exist no longer. Not only should the law governing the pay of examiners be amended, but the appropriation for that branch of the State department should be at least



doubled. There should also be an increased appropriation for the office expenses of this department, which grow apace with the growth of examinations. The work here runs largely to detail, each examination involving an immense amount of correspondence, statistics, expenses for advertising, etc. All these have been multiplied since the organization of this department, yet the appropriation remains practically the same as in the beginning. An appropriation sufficiently liberal to pay examiners and to meet the office expenses would permit of a more thorough and satisfactory organization of examining boards, and permit the department to give greater publicity to its methods, examinations and other matters pertaining thereto of importance to the public.

Notwithstanding the embarrassments which surround the work of this department, some of which are pointed out above, and the stubborn conflict which it is constantly waging against the hostile sentiments which have always contested its progress, I am gratified to be able to say, as a result of three years of experience as chief examiner of this department, that its advance is worthy of comment and congratulation. Not only is this manifested by the extension of the classified service, the growth of the competitive schedule and the increase of the number of applicants and their superior character, but a more substantial evidence of its progress is found in the general approval and the growing admiration for its methods on behalf of appointing officers and the general public.

From this source it is now conceded that this Commission is engaged in enforcing a practical business idea rather than wasting its energies in devotion to a pedantic and futile theory. And instead of embarrassing public officers in their appointments it renders them incalculable assistance and furnishes for them a haven where they may hide from the ugly turbulence of partisan hunger for spoils.

I desire to express my obligation to the Commission for the confidence and assistance which has been extended to me on your part in all my work during the year. I desire also to state in answer to certain strictures which have appeared in the press upon your purposes and methods in selecting my successor, that I have fully approved of your course in filling this position in the way you have. The test applied, I believe, was adequate and just, and I am strongly committed to the policy of filling such a position by the merit test. This, together with all other positions in your office, should be removed as far as possible from the influence and solicitations of personal interests,



and should be made to stand upon their own merit and receive the security of tenure which such a course would naturally beget.

Few realize how great is the power, for good or evil, which is possessed by the employes of your office. The service may be said, ultimately, to depend upon the fidelity and ability with which they perform the duties assigned to them. No matter how able may be the administration of the Commission, or how adequate the law and rules under which it operates, your work may all be nullified by ignorance or neglect of the official mechanism by which it is made effectual. All examination papers are in the custody of your office. The grading of all persons on the eligible lists is made here. Upon the certificate of your secretary depends the status of every person in the classified service.

I need not further enumerate the features of this immense and serious responsibility. They are known to you, if not to the public, and both you and the public know that not a spot has marred the long and splendid record of your secretary and clerk, upon whom this responsibility chiefly rests. Having occupied for nearly three years the closest relations with them, personally and officially, with an opportunity to take the full measure of their capacity and integrity, I feel it my privilege as well as my duty to publicly record their claims to the gratitude of the Commission and the public, for their intelligent and unswerving devotion to duty. Here are found the best fruits of civil service reform; the personification of those virtues which exist outside the pale of patronage, and are developed by self reliance and continuity of service.

I have the honor to remain, very respectfully,

THOMAS CARMODY,

*Chief Examiner.*

# Tables

showing the weights assigned to separate subjects in competitive examinations and the number passing and failing in each subject:

TEACHERS, HOUSE OF REFUGE, HUDSON, FEBRUARY 12, 1895.

Entered.	SUBJECTS.	Weight.	Passed.	Failed.
3.....	Dictation .....	2	3	.....
3 .....	Handwriting .....	3	3	.....
3.....	Spelling .....	2	3	.....
3.....	Arithmetic .....	3	2	2
3.....	Geography .....	2	2	1
3.....	Reading .....	2	3	.....
3.....	United States history .....	2	1	2
3 .....	Grammar .....	2	2	1
3.....	Physiology.....	2	2	1

Qualified, 1; not qualified, 2.

EXAMINERS, REGENTS' DEPARTMENT, MARCH 22, 1895.

Entered.	SUBJECTS.	Weight.	Passed.	Failed.
2.....	Civics and economics.....	1	2	.....
1.....	Trigonometry.....	1	1	.....
1.....	Physics.....	1	1	.....
2.....	American history.....	1	1	1
2.....	Geometry.....	1	2	.....
2.....	Geography.....	1	2	.....
3.....	Algebra .....	1	3	.....
1.....	Geology .....	1	1	.....
1.....	Latin .....	1	....	1
1.....	German .....	1	1	.....
5.....	English.....	1	5	.....
1.....	Physiology and hygiene.....	1	....	1
5.....	Arithmetic.....	1	5	.....

Qualified, 24; not qualified, 3,

THIRTEENTH REPORT OF THE  
MESSENGERS, MARCH 26, 1895.

Entered.	SUBJECTS.	Weight.	Passed.	Failed.
28.....	Dictation .....	1	28	.....
28.....	Handwriting .....	2	27	1
28.....	Spelling.....	1	28	.....
8.....	Verbal order .....	1	28	.....
8.....	Arithmetic.....	2	28	.....
8.....	Oral .....	3	28	.....

Qualified, 26; not qualified, 2.

TEACHERS, INDUSTRIAL SCHOOL, ROCHESTER, APRIL, 27, 1895.

Entered.	SUBJECTS.	Weight.	Passed.	Failed.
8.....	Arithmetic .....	2	5	3
8.....	Geometry.....	2	7	1
8.....	English literature.....	2	7	1
8.....	Algebra .....	2	7	1
8.....	Geography .....	2	6	2
8.....	Civil government .....	2	6	2
8.....	American History.....	2	5	3
8.....	Languages .....	2	5	3
8.....	Physiology and hygiene.....	2	6	2
4.....	Languages (special) .....	5	4	.....
8.....	General history (special) .....	2	3	5
3.....	Familiar science (special) .....	5	3	.....
4.....	Geography (special).....	5	3	1
1.....	Drawing (special) .....	5	1	.....

Qualified, 3; not qualified, 5.

GUARDS, CLINTON PRISON, MAY 8, 1895.

Entered.	SUBJECTS.	Weight.	Passed.	Failed.
15.....	Dictation.....	1	15	.....
15.....	Handwriting.....	2	13	2
15.....	Spelling.....	1	15	.....
15.....	Verbal order .....	1	15	.....
15.....	Arithmetic .....	2	12	3
23.....	Oral.....	3	15	8

Qualified, 11; Not qualified, 12.



MILITARY INSTRUCTOR, INDUSTRIAL SCHOOL, MAY 11, 1895.

Entered.	SUBJECTS.	Weight.	Passed.	Failed.
9.....	Arithmetic .....	1	9	.....
9.....	Handwriting.....	1	9	.....
9.....	General intelligence.....	2	8	1
	<i>Military Tactics.</i>			
9.....	Oral .....	4	9	.....
9.....	Written.....	5	9	.....
9.....	Drill.....	2	8	1
1.....	Withdrew.....	....	....	1

Qualified, 4; not qualified, 6.

GUARDS, AUBURN PRISON, MAY 15, 1895.

Entered.	SUBJECTS.	Weight.	Passed.	Failed.
74.....	Dictation .....	1	74	.....
74.....	Handwriting.....	2	67	7
74.....	Spelling .....	1	74	.....
74.....	Verbal order.....	1	74	.....
74.....	Arithmetic .....	2	54	20
74.....	Oral.....	3	59	15

Qualified, 35; not qualified, 39.

GUARDS, SING SING PRISON, MAY 22, 1895.

Entered.	SUBJECTS.	Weight.	Passed.	Failed.
18.....	Dictation .....	1	18	.....
18.....	Handwriting.....	2	18	.....
18.....	Spelling .....	1	12	6
18.....	Verbal order .....	1	14	4
18.....	Arithmetic .....	2	14	4
18.....	Oral.....	3	16	2

Qualified, 11; not qualified, 7.

EXAMINERS, REGENTS' DEPARTMENT, JUNE 26 AND 27, 1895.

Entered.	SUBJECTS.	Weight.	Passed.	Failed.
4.....	French .....	1	3	1
2.....	General history.....	1	2	.....
1.....	Biology.....	1	1	.....

Qualified, 6; not qualified, 1.

## STENOGRAPHER, STATE HISTORIAN, JULY 2, 1895.

Entered.	SUBJECTS.	Weight.	Passed.	Failed.
6.....	Dictation .....	1	6	.....
6.....	Handwriting .....	2	6	.....
6.....	Spelling .....	1	6	.....
6.....	Stenography .....	3	4	2
6.....	History .....	3	5	1
8.....	Withdrew .....	....	....	8

Qualified, 4; not qualified, 10.

## TEACHERS, INDUSTRIAL SCHOOL, JULY 16, 1895.

Entered.	SUBJECTS.	Weight.	Passed.	Failed.
11.....	Algebra .....	1	11	.....
11.....	Geometry .....	1	10	1
11.....	Geography .....	1	11	.....
11.....	Arithmetic and methods .....	2	5	6
11.....	Civil government .....	1	11	.....
11.....	Physiology and hygiene .....	1	11	.....
11.....	Languages .....	1	11	.....
11.....	American history .....	1	11	.....
11.....	English literature .....	1	11	.....

Qualified, 3; not qualified, 8.

## REFORMATORY GUARDS, ELMIRA, JULY 30, 1895.

Entered.	SUBJECTS.	Weight.	Passed.	Failed.
112.....	Dictation .....	1	112	.....
112.....	Handwriting .....	2	106	6
112.....	Spelling .....	1	112	.....
112.....	Verbal order .....	1	112	.....
112.....	Arithmetic .....	2	97	15
112.....	Oral .....	3	73	39

Qualified, 50; not qualified, 62.

## BOOKKEEPERS, INDUSTRIAL SCHOOL, ROCHESTER, AUGUST 16, 1895.

Entered.	SUBJECTS.	Weight.	Passed.	Failed.
3.....	Spelling .....	2	3	.....
3.....	Test in addition .....	2	3	.....
3.....	Arithmetic .....	2	3	.....
3.....	Bookkeeping .....	4	3	.....

Qualified, 3.

## INSTRUCTOR IN CLAY MODELLING, INDUSTRIAL SCHOOL, AUGUST 16, 1895.

Entered.	SUBJECTS.	Weight.	Passed.	Failed.
1.....	Arithmetic .....	1	1	.....
1.....	Physiology and hygiene .....	1	1	.....
1.....	Languages .....	1	1	.....
1.....	History .....	1	1	.....
1.....	Geography .....	1	1	.....
1.....	Drawing .....	2	1	.....
1.....	Clay modelling .....	3	1	.....

Qualified, 1.

## TIMEKEEPERS, AUGUST 21, 1895.

Entered.	SUBJECTS.	Weight.	Passed.	Failed.
14.....	Arithmetic .....	2	14	.....
14.....	Arithmetic (special) .....	4	14	.....
14.....	Oral .....	4	13	1

Qualified, 13; not qualified, 1.

## CHIEF EXAMINER, AUGUST 27, 28 AND 29, 1895.

Entered.	SUBJECTS.	Weight.	Passed.	Failed.
16.....	Mathematics .....	10	15	1
16.....	Natural sciences .....	10	14	2
16.....	Geography and history .....	10	15	1
16.....	Grammar and composition .....	15	16	.....
16.....	Literary history .....	10	16	.....
16.....	Constitution .....	10	16	.....
16.....	Civil service .....	15	16	.....
16.....	General competency .....	20	16	.....

Qualified, 14; not qualified, 2.



## TEACHERS, THOMAS ORPHAN ALYLUM, SEPTEMBER 5, 1895.

Entered.	SUBJECTS.	Weight.	Passed.	Failed.
6.....	Grammar .....	1	6	.....
6.....	Civil government.....	1	5	1
6.....	Geography .....	1	6	.....
6.....	Methods .....	1	6	.....
6.....	Physiology and hygiene .....	1	5	1
6.....	History .....	1	6	.....
6.....	Arithmetic .....	1	6	.....
6.....	Drawing.....	1	6	.....
6.....	Dictation .....	1	6	.....
6.....	Handwriting.....	1	6	.....

Qualified, 4; not qualified, 2.

## TEACHERS, SCHOOL FOR THE BLIND, BATAVIA, SEPTEMBER 17, 1895.

Entered.	SUBJECTS.	Weight.	Passed.	Failed.
<i>Obligatory.</i>				
7.....	Arithmetic .....	1	7	.....
7.....	Algebra.....	1	7	.....
7.....	Geometry .....	1	7	.....
7.....	Physical geography .....	1	6	1
7.....	Physics .....	1	6	1
2.....	Withdrew.....	....	....	2
<i>Optional.</i>				
7.....	Rhetoric .....	....	7	.....
7.....	History .....	....	5	2

Qualified, 5; not qualified, 9.

## ASSISTANT SUPERINTENDENT, HOUSE OF REFUGE, ALBION, SEPTEMBER 18, 1895.

Entered.	SUBJECTS.	Weight.	Passed.	Failed.
4.....	Arithmetic .....	1	4	.....
4.....	Letter-writing .....	2	4	.....
4.....	Special .....	2	4	.....

Qualified, 4.

## CLERKS, DECEMBER 4, 1895.

Entered.	SUBJECTS.	Weight.	Passed.	Failed.
126.....	Spelling .....	3	122	4
126.....	Dictation .....	2	120	6
126.....	Handwriting .....	3	125	1
126.....	Letter-writing .....	3	124	2
126.....	Arithmetic .....	4	108	18
126.....	Geography .....	1	125	1
126.....	History .....	1	125	1
126.....	Constitution .....	1	124	2
126.....	Current topics .....	2	121	5

Qualified, 93; not qualified, 33.

CHIEF EXAMINER'S SPECIAL REPORT  
ON INVESTIGATION OF THE  
ROCHESTER CIVIL SERVICE BOARD,  
HELD NOVEMBER 26, 1895.

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ALBANY, N Y., *November 30, 1895.*

*To the New York Civil Service Commission :*

GENTLEMEN. — I have the honor to submit the following report of my investigation of the administration of the Civil Service Law of the city of Rochester, made pursuant to the instructions of your Commission :

In the absence of specific charges against the Municipal Civil Service Board or city officials, I proceeded informally to examine into the following matters, namely: The manner of conducting examinations, the subjects included in such examinations, the method of certification from the eligible lists, and the number of appointments made from such lists since April 1, 1895, the commencement of the fiscal year. I examined the records and examination papers and system of marking of the municipal board. I also examined the records of all the city departments, and obtained a list of the appointments made in each since April 1, 1895. I was compelled to proceed somewhat hastily in this examination, owing to the limited time at my disposal, but I think sufficient facts were found to show the general condition of the Civil Service of that city, and to accomplish the purpose which your Commission had in mind in ordering such investigation.

I found that during the period covered by my examination, and for a considerable time prior thereto, the enforcement of the Civil Service Law in that city has been practically abandoned. The responsibility for this rests largely upon appointing officers who have almost entirely ignored the requirements of the Civil Service Law and the rules of the municipal board by making appointments outside of the



eligible lists, and, when made from the lists, not confined to those in line of certification. Some blame must also rest upon the Civil Service Board for not doing its full duty under the circumstances. I find that on one or two occasions, when requested so to do by appointing officers, this board certified their entire eligible list to such officers, instead of confining their certification to the three highest names on the list, as required by the rules

I find also that, having sent in a certification of three names to appointing officers, they have sent in subsequent certifications without requiring action to be taken upon the first one, in that way permitting persons not legally in order of certification to receive an appointment with the apparent indorsement of the Civil Service Board. This board has also not required appointing officers to give them notice of appointments made.

According to the records of the Municipal Civil Service Board and the admission of their clerk, this board, during the time covered by my examination, has not received notice of a single appointment made in the city of Rochester. During all this time salaries have been paid of persons irregularly appointed in violation of the provisions of the act of 1894.

The city officials undertake to excuse their failure to observe the Civil Service law by saying that many of the appointments were temporary; that the duties of the positions were such that an examination was not practicable; that many of the appointments were made to meet emergencies, and other similar excuses, without any apparent validity. The magnitude of the violations in the different city departments is disclosed by an examination of the lists of appointments made in these various departments during the time covered by my examination, which is herewith submitted.

In the fire, street and water departments, appointments to which are made by the executive board, it will be seen that since April 1st last appointments have been made as follows:

In the fire department 12, including pipe-men, extra men, drivers and 1 lieutenant.

In the street department about 35, designated as "local inspectors."

In the water department about 40, including inspectors, flushers, draughtsmen, assistant engineers, levelers, rodmen, clerks and 1 stenographer.

In addition to this there were about 180 miscellaneous appointments made in these departments of about the same character. The Municipal Civil Service Board has no record of such appointments, and none

of them have been made from their eligible lists as I have been able to discover.

I submit herewith, also, a copy of the eligible lists for this department, obtained from the records of the Civil Service Board, showing that during the time these irregular appointments were being made there were names on the eligible lists for nearly all of these positions. Two or three irregular appointments seem to have been made during that time in the office of the city clerk.

I examined briefly into the duties of the above named appointees, and see no reason why they should not be appointed from the Civil Service lists. In most cases the duties require some skill or expert knowledge, but no difficulty has been found elsewhere in filling such positions by competitive examinations, and none should exist here.

I would suggest, however, to the board of examiners, that in such examinations they associate with them some person skilled in the duties of the position for which the examination is held, and give, in addition to written questions, an oral examination, and, where possible, a practical test of the fitness of candidates. This suggestion I made to the examiners, and was readily agreed to by them, and I think will be followed in the future.

After having obtained the above information, I had an interview with the city auditor, in which I called his attention to the condition of the city Civil Service, as disclosed by the lists herewith submitted, and also called his attention to the provisions of the act of 1894, which charges him with the duty of refusing to audit the salaries of those who have not been appointed in accordance with the Civil Service Law. I brought this matter also to the attention of the Civil Service Board, and suggested that their board act in harmony with the city auditor, and each month examine the pay-roll of each of the city departments with a view of cutting off the salaries of all irregular appointees. If this suggestion is adopted it will prevent a repetition of these violations in the future and will correct such as at present exist. The mayor-elect, who takes office January 1, 1896, declares it to be his intention to proceed in this way, and to see that every person irregularly appointed is discharged from the service, so far as it lies in his power.

I do not wish to be understood in this report as censuring the Municipal Civil Service Board. The members of the board and their clerk were recently appointed, and made many of the errors alluded to before becoming familiar with the Civil Service rules and the law. I believe it is their intention now to enforce the law so far as it lies in their power.



It is unfortunate that these frequent changes occur in this position, where experience counts for so much. It is also unfortunate that reasonable pay is not allowed to members of the Municipal Civil Service Board and their clerical force. Very little work can be expected for the amount of pay at present allowed, and if it is expected that this law will ever be intelligently and vigorously enforced, the law should be so amended as to allow reasonable pay for such services. A great deal of expert knowledge is required in preparing examination papers, and a great deal of work is involved in the holding of these examinations and the marking of papers. Some provision should be made whereby such expert assistance as is necessary may be employed by the municipal board for this work.

A reclassification of the Civil Service of this city seems to be necessary, and I would suggest that such classification make allowance for the employment of temporary service in the street, water and fire departments, under such safeguards as will prevent an abuse of the power. It seems to be necessary, when certain emergencies arise, to increase the force of such employes for a short time, sometimes not exceeding a very few days. Such a rule as your Commission adopted for the State service, giving the Municipal Civil Service Board power to allow such appointments in their discretion, would meet the requirements of the case.

I have no doubt that violations similar to those discovered by this investigation in the city of Rochester exist in many of the other cities of the State. I would suggest, as a simple, direct and effective way to remedy these violations, that this Commission should get a list of all appointments made in these cities during a given period of time, as, for instance, the present fiscal year, and ascertain from the records of the municipal Civil Service boards whether or not any of them are violations, and then give notice to the city auditor of such as are violations, calling his attention to his responsibility under the act of 1894. I believe that this will be much easier and more successful than any other form of investigation.

Very respectfully,

THOMAS CARMODY,

*Chief Examiner.*





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# APPENDIX B.

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Statistical Tables of Examinations.

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# Statistical Tables of Examinations.

COMPETITIVE EXAMINATIONS (SCHEDULE B), 1895.	Qualified.	Not qualified.
Apothecaries .....	5	2
Assistant engineers .....	19	12
Assistant superintendent, House of Refuge, Albion,	4	.....
Bookkeeper, Industrial School, Rochester .....	3	.....
Butter experts, Department of Agriculture .....	.....	1
Chainman, State Engineer .....	95	22
Cheese experts, Department of Agriculture .....	1	.....
Chief examiner, Civil Service Commission .....	14	2
Clerkships .....	93	33
Collector and assistant, State Laboratory .....	3	.....
Compiler of educational reports, Department of Public Instruction .....	10	.....
Director of Pathological Institute .....	1	1
Draughtsmen, New Capitol Commission .....	5	2
Draughtsmen and map-makers, State Engineer ....	7	9
Dynamo tenders .....	11	13
Electricians .....	11	16
Examiners, Banking Department .....	10	6
Examiners, Department of Public Instruction ...	29	23
Examiners, Regents' Department .....	24	3
Examiners and inspectors, Regents' Department ..	6	1
Female physicians .....	2	.....
Firemen .....	6	6
First assistant physicians .....	12	.....
Fish culturist, Fisheries, Game and Forest Com- mission .....	2	2
Guards, Auburn Prison .....	35	39
Guards, Clinton Prison .....	11	12
Guards, Elmira Reformatory .....	50	62
Guards, Sing Sing Prison .....	11	7
Inspector of teachers' training classes, Department of Public Instruction .....	16	.....
Inspectors, New York Board of Excise .....	43	177
Instructor, band, Industrial School, Rochester ....	3	1
Instructor, care and firing steam boilers, Industrial School, Rochester .....	2	2
Instructor, clay modeling, Industrial School, Rochester .....	1	.....
Instructor, dressmaking and millinery, Industrial School, Rochester .....	2	.....

STATISTICAL TABLES OF EXAMINATION — (*Continued*).

COMPETITIVE EXAMINATIONS (SCHEDULE B), 1895.	Qualified	Not qualified.
Instructor, military, Industrial School, Rochester,	4	5
Instructor, trade school, Industrial School Rochester .....	2	.....
Instructor, upholstering, Industrial School, Rochester .....	1	1
Junior assistant physicians .....	8	1
Law clerks .....	6	10
Levelers .....	38	24
Messengers .....	26	2
Milk experts, Department of Agriculture .....	18	12
Rodmen .....	55	26
Steam engineers .....	7	32
Stenographers, Department of State Historian ....	4	10
Stenographers and typewriters .....	35	63
Superintendents, State hospitals .....	5	.....
Teachers, House of Refuge, Hudson .....	1	2
Teachers, Industrial School, Rochester .....	6	13
Teachers, Institution for Feeble-Minded Children, Syracuse .....	2	1
Teachers, School for the Blind, Batavia .....	5	4
Teachers, Thomas Orphan Asylum .....	6	3
Time-keeper, New Capitol Commission .....	13	1
Vinegar experts Department of Agriculture .....	5	10
Totals .....	788	672
Total number examined, Schedule B .....		1,460
NON-COMPETITIVE EXAMINATIONS. (SCHEDULE C), 1895.		
Accompanist, Industrial School, Rochester .....	1	.....
Assistant clerks, courts .....	18	.....
Assistant curator, State Museum .....	1	.....
Assistant entomologist, State Entomologist .....	1	.....
Assistant librarian, court .....	1	.....
Assistant librarians, Regents' Department .....	2	.....
Assistant military instructor, Elmira Reformatory,	1	.....
Carpenters, Department of Public Buildings .....	5	.....
Chief clerk, Secretary of State .....	1	.....
Chief clerk, State Board of Health .....	1	.....
Clerks' assistants, courts .....	6	.....
Corporation examiners, Comptroller .....	7	1
Court attendants .....	38	3

STATISTICAL TABLES OF EXAMINATION — (*Continued*).

NON-COMPETITIVE EXAMINATIONS (SCHEDULE C), 1895.	Qualified.	Not qualified.
Court stenographers.....	8	.....
Excise agents, Comptroller.....	2	1
Expert examiner, Factory Inspector.....	1	.....
Health officers.....	24	.....
Inspectors, New York Board of Excise.....	33	12
Janitors, Department of Public Buildings.....	2	.....
Librarians, Department of Public Instruction....	2	.....
Machinist, Department of Public Buildings.....	1	.....
Manual training instructor, Elmira Reformatory..	1	.....
Matrons, State institutions.....	3	.....
Medical Internes, State hospitals.....	9	.....
Principal literary teacher, School for the Blind, Batavia.....	1	.....
Private secretary, Factory Inspector.....	2	.....
Special agents, Fisheries, Game and Forest Com- mission .....	2	.....
Stenographer, State Historian.....	1	.....
Stewards, State institutions.....	4	.....
Subpœna clerks, courts.....	7	.....
Superintendent, State institutions.....	1	.....
Superintendents, Quarantine Commission.....	2	.....
Total .....	189	17
Total examined, Schedule C, 1895.....		206
NON-COMPETITIVE EXAMINATIONS. (SCHEDULE D), 1895.		
Auburn Prison :		
Assistant matrons .....	2	.....
Foreman .....	1	.....
Assistant foremen.....	3	.....
Craig Colony :		
Storekeeper.....	1	.....
Miscellaneous.....	3	.....
Custodial Asylum, Newark :		
Attendants .....	9	.....
Fireman .....	1	.....
Custodial Asylum, Rome:		
Attendants .....	13	.....
Miscellaneous.....	11	.....



STATISTICAL TABLES OF EXAMINATION — (*Continued*).

NON-COMPETITIVE EXAMINATIONS (SCHEDULE D), 1895.	Qualified.	Not qualified.
Department of Public Buildings:		
Porters.....	11	2
Upholsterers.....	1	.....
Department of Public Instruction:		
Porters.....	2	.....
Elmira Reformatory:		
Overseers.....	2	.....
Miscellaneous.....	3	.....
Fisheries, Game and Forest Commission:		
Fish and game protectors and foresters.....	29	3
Oyster protector.....	1	.....
Assistant oyster protector.....	1	.....
Hospital, State, Binghamton:		
Attendants.....	58	.....
Fireman.....	1	.....
Miscellaneous.....	5	.....
Hospital, Long Island State, Brooklyn:		
Attendants.....	173	30
Firemen.....	8	.....
Miscellaneous.....	9	3
Hospital, State, Buffalo:		
Attendants.....	134	12
Firemen.....	4	.....
Miscellaneous.....	4	.....
<del>State</del> Hospital, State, Matteawan:		
Attendants.....	72	16
Miscellaneous.....	3	.....
Hospital, State Homœopathic, Middletown:		
Attendants.....	73	1
Miscellaneous.....	10	.....
Hospital, St. Lawrence, Ogdensburg:		
Attendants.....	147	4
<del>State</del> Hospital, Hudson River, Poughkeepsie:		
Attendants.....	120	.....
Miscellaneous.....	14	.....

STATISTICAL TABLES OF EXAMINATION — (*Continued*).

NON-COMPETITIVE EXAMINATIONS (SCHEDULE D), 1895.	Qualified.	Not qualified.
Hospital, State, Rochester:		
Attendants.....	15	.....
Miscellaneous .....	3	.....
Hospital, State, Utica:		
Attendants.....	46	.....
Miscellaneous .....	6	.....
Hospital, State, Willard:		
Attendants.....	73	.....
Firemen .....	2	.....
Miscellaneous .....	16	.....
House of Refuge for Women, Albion:		
Assistant matron.....	1	.....
Housekeepers .....	2	.....
Miscellaneous .....	4	.....
House of Refuge for Women, Hudson:		
Assistant supervisors.....	11	1
Watchmen .....	2	.....
Fireman .....	1	.....
Marshal.....	1	.....
Industrial School, Rochester:		
Officers .....	27	.....
Cooks .....	6	.....
Housekeepers .....	3	.....
Miscellaneous .....	5	.....
Institution for Feeble-Minded Children, Syracuse:		
Attendants.....	10	.....
Supervisor .....	1	.....
Miscellaneous .....	5	.....
School for the Blind, Batavia:		
Laundresses.....	3	.....
Miscellaneous .....	2	.....
Sing Sing Prison:		
Foremen .....	3	.....
Assistant foremen.....	1	.....
Watchman .....	1	.....
Examiner, clothing department.....	1	.....

STATISTICAL TABLES OF EXAMINATION — (*Continued*).

NON-COMPETITIVE EXAMINATIONS (SCHEDULE D), 1895.	Qualified.	Not qualified.
Soldiers and Sailors' Home, Bath :		
Nurses.....	4	.....
Firemen .....	7	1
Miscellaneous.....	8	.....
Thomas Orphan Asylum, Versailles :		
Attendant .....	1	.....
Miscellaneous .....	2	.....
Quarantine Commission :		
Firemen .....	4	2
Cook .....	1	.....
Totals .....	1,207	75
Total examined, Schedule D.....		1,282

## GENERAL SUMMARY OF EXAMINATIONS HELD DURING THE YEAR 1895.

	Number examined.	Qualified.	Not qualified.
Competitive examinations.....	1,460	788	672
Non-competitive examinations (Schedule C).....	206	189	17
Non-competitive examinations (Schedule D).....	1,282	1,207	75
Totals .....	2,948	2,184	764



COMPETITIVE EXAMINATIONS.

The following table shows the number of persons who have entered competitive examinations each year since the organization of the Commission, the positions for which they were examined and the number who passed and failed:

	NUMBER EXAMINED.												Totals.
	1884.	1885.	1886.	1887.	1888.	1889.	1890.	1891.	1892.	1893.	1894.	1895.	
Apothecaries .....								5	4	4	6	7	26
Assistant engineers, levelers, rodmen and chainmen .....			28	31	17		21		36	58	74	289	551
Assistant superintendent, House of Refuge, Albion .....									11			4	4
Bookkeepers, etc. ....				3			5			6	11	3	39
Butter experts, Department of Agriculture .....												1	1
Cheese experts, Department of Agriculture .....												1	1
Chemists .....											2		2
Chief examiner, Civil Service Commission .....												16	16
Clerks, general .....	143	103	84	127	112	43	78	49	70	152	188	126	1,275
Clerks, junior .....								86	18	37	61		202
Collector and assistant, State Laboratory .....												3	3
Collector of canal statistics .....				6									6
College assistants, Regents' Department .....									15	6			21
Compiler of educational reports, Department of Public Instruction .....												10	10
Director of pathological institute .....												2	2
Draughtsmen, New Capitol Commission .....												7	7
Draughtsmen and mapmakers, State Engineer .....												16	16
Dynamo tenders .....												24	24
Estimate clerks, Industrial School, Rochester .....											2		2
Examiners, Banking Department .....												16	16
Examiners, Department of Public Instruction .....												52	52
Examiners, Regents' Department .....			6	25		15	6	40	10	20		34	156
Experts and inspectors, Board of Electrical Control .....					42		16						58
Female assistant physicians, State hospitals .....		3						8	6	2	2		23
Firemen .....												12	12
First assistant physicians, State hospitals .....								4	1		11	12	32
Fish culturist, Fisheries, Game and Forest Commission .....												4	4
Guards, prisons and reformatories .....	43	56	55	161	129	24	27	25	38	121	214	227	1,130
House electricians .....												27	27
Inspectors of masonry .....			9										9
Inspectors of teachers' training classes, Department of Public Instruction .....												10	10
Inspectors, New York Board of Excise .....												220	220
Instructors, Elmira reformatory .....											3		3
Instructors, Industrial School, Rochester .....			11		16	11					19	24	43
Interpreters, courts .....							4						43

COMPETITIVE EXAMINATIONS -- (Continued).

	NUMBER EXAMINED.													Totals.
	1884.	1885.	1886.	1887.	1888.	1889.	1890.	1891.	1892.	1893.	1894.	1895.		
Janitors, courts.....	.....	.....	3	.....	16	6	.....	.....	24	.....	.....	.....	49	
Junior assistant physicians, State hospitals	.....	.....	.....	.....	.....	4	.....	23	19	16	18	9	89	
Law clerks.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	16	16	
Messengers.....	8	16	10	18	8	19	.....	.....	8	.....	55	28	170	
Milk experts, Department of Agriculture.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	30	30	
Orderlies.....	42	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	42	
Pages, Regents Department.....	.....	.....	.....	.....	.....	104	26	.....	25	.....	25	.....	180	
Physicians, prisons and reformatories.....	.....	.....	3	.....	.....	.....	.....	.....	.....	.....	.....	.....	3	
Proofreaders.....	.....	.....	.....	4	.....	.....	.....	.....	2	.....	9	.....	13	
School secretary, Elmira Reformatory.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	4	
Steam engineers.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	39	48	
Steam and electrical engineers.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	13	.....	13	
Stenographers, Department of State Historian.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	14	14	
Stenographers and typewriters.....	.....	6	.....	.....	9	21	44	71	42	87	66	98	444	
Stewards, State hospitals.....	.....	20	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	20	
Superintendents, State hospitals....	.....	.....	.....	.....	.....	27	48	24	61	46	33	43	233	
Teachers.....	.....	21	.....	9	.....	.....	.....	.....	.....	.....	.....	14	312	
Time-keepers.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	15	14	
Vinegar experts, Department of Agriculture.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	15	
Totals.....	236	225	209	384	349	274	285	341	392	568	824	1,460	5,547	
Number passed.....	170	142	168	254	247	199	174	210	280	370	560	788	3,562	
Number failed.....	66	83	41	130	102	75	111	131	112	198	264	672	1,985	

NONCOMPETITIVE EXAMINATIONS.

The following tables show the number of persons who have entered noncompetitive examinations since the organization of the Commission, and the number who passed and failed:

Schedule C.

	1884.	1885.	1886.	1887.	1888.	1889.	1890.	1891.	1892.	1893.	1894.	1895.	Totals.
Number examined....	61	330	167	99	107	133	88	352	91	110	197	206	1,941
Number passed .....	61	299	157	73	102	116	81	341	86	110	190	189	1,805
Number failed , .....	....	31	10	26	5	17	7	11	5	....	7	17	136

Schedule D.

	1884.	1885.	1886.	1887.	1888.	1889.	1890.	1891.	1892.	1893.	1894.	1895.	Totals.
Number examined....	386	233	345	615	474	536	626	734	1,019	1,121	1,103	1,282	8,474
Number passed .....	386	223	327	583	470	509	606	722	1,004	1,103	1,074	1,207	8,214
Number failed , .....	....	10	18	32	4	27	20	12	15	18	29	75	260



GENERAL SUMMARY.

The following table shows the total number of persons examined in competitive and noncompetitive schedules since the organization of the Commission, and the number who passed and failed:

	1884.	1885.	1886.	1887.	1888.	1889.	1890.	1891.	1892.	1893.	1894.	1895.	Totals.
Number examined.....	683	788	721	1,098	930	943	999	1,427	1,502	1,799	2,124	2,948	15,462
Number passed .....	617	664	652	910	819	824	861	1,273	1,370	1,583	1,824	2,184	13,581
Number failed .....	66	124	69	188	111	119	138	154	132	216	300	764	2,381

COMPETITIVE APPOINTMENTS.

The following shows the number and character of appointments to competitive positions since the organization of the Commission :

	1884	1885.	1886.	1887.	1888.	1889.	1890.	1891.	1892.	1893.	1894.	1895.	Totals.
Apothecaries .....								2	1	2	3	4	12
Assistant engineers, levelers, rodmen and chainmen .....			5	14	1		5		6	10	10	10	61
Assistant superintendent, House of Refuge, Albion .....												1	1
Bookkeepers .....					1		1		3	4		8	17
Chemists .....											2		2
Chief examiner, Civil Service Commission .....												1	1
Clerks, general .....	13		9	3	7	5	11	2		10	24	24	108
Clerks, junior .....								13	20	7	13	8	61
Clerks, temporary .....		11		1			1		2		16	2	33
Collector and assistant, State Laboratory .....												1	1
College assistants, Regents' Department .....									3	2			5
Draughtsmen .....											1		1
Dynamo tenders .....												5	5
Examiners, Banking Department .....												1	1
Examiners, Department of Public Instruction .....												5	5
Examiners, Regents' Department .....			3	3	5	3	1	22	4	3	4	4	4
Experts and inspectors, Board of Electrical Control .....					9							12	60
Female assistant physicians, State hospitals .....		1						3	1	1			9
Firemen .....												1	1
First assistant physicians, State hospitals .....		1						2	1		3	5	12
Fish culturist, Fisheries, Game and Forest Commission .....												1	1
Guards, prisons and reformatories .....	5	4	27	34	39	21	14	7	28	64	52	39	334
House electricians .....												6	6
Inspectors of masonry .....			7										7
Inspectors, New York Board of Excise .....												10	10
Inspectors, teachers' training classes, Department of Public Instruction .....												1	1
Instructors Industrial School, Rochester .....											5	8	13
Interpreters, courts .....			1	1	4	2	1						9
Janitors, courts .....					5								5
Junior assistant physicians, State hospitals .....								3	6	6	7	11	33
Messengers .....		1	1		1	1					8		12
Milk experts, Department of Agriculture .....												3	3
Pages, Regents' Department .....						4	4	2	8		2	1	21
Physicians, prisons and reformatories .....			1								3	1	2
Proofreaders .....													3
School secretary, Elmira Reformatory .....									1		1		2
Steam engineers .....										1	3	3	7

COMPETITIVE APPOINTMENTS — (Continued).

	1884.	1885.	1886.	1887.	1888.	1889.	1890.	1891.	1892.	1893.	1894.	1895.	Totals.
Stenographers and typewriters.....	.....	.....	2	.....	7	1	9	7	8	6	15	13	68
Steward, Hudson River State Hospital.....	.....	1	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1
Superintendents, State hospitals.....	.....	.....	.....	.....	.....	.....	.....	.....	1	1	3	1	6
Teachers .....	.....	3	1	2	.....	10	15	8	8	12	8	8	75
Timekeepers.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1	1
Totals .....	18	22	57	58	79	47	62	71	101	129	183	200	1,027



TOTAL NUMBER OF APPOINTMENTS SINCE THE ORGANIZATION OF THE COMMISSION.

	1884.	1885.	1886.	1887.	1888.	1889.	1890.	1891.	1892.	1893.	1894.	1895.	Totals.
After competitive examinations.....	18	22	57	58	79	47	62	71	101	129	183	200	1,027
After noncompetitive examinations (Schedule C)..	61	299	157	73	102	116	81	341	86	110	190	189	1,805
After noncompetitive examinations (Schedule D)..	386	223	327	583	470	509	606	722	1,004	1,103	1,074	1,207	8,214
Totals.....	465	544	541	714	651	672	749	1,134	1,191	1,342	1,447	1,596	11,046

STATISTICAL SUMMARY OF PERSONS ADMITTED TO COMPETITIVE  
EXAMINATIONS.*Birthplace.*

In State of New York.....	1,176
In other parts of the United States.....	143
In foreign countries.....	141
Total.....	<u>1,460</u>

*Occupation.*

Mechanics and laborers.....	274
Clerks .....	299
Lawyers .....	29
Other kinds of business.....	722
Unemployed.....	136
Total .....	<u>1,460</u>

Had been previously in civil service.....	169
Had been previously in United States military or naval ser- vice.....	93

Average age, 32.3 years.

*Education.*

Common school.....	931
Academic .....	365
Collegiate .....	164
Total .....	<u>1,460</u>

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## A P P E N D I X C.

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Organization of Commission, Examining  
Boards, Etc.

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# Organization of the New York Civil Service Commission and the several boards of examiners appointed by and acting under it.

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## NEW YORK CIVIL SERVICE COMMISSION.

*Commissioners.*—Willard A. Cobb, Lockport; Willard D. McKinstrey, Watertown; Silas W. Burt, New York.

*Officers, etc.*—President, Willard A. Cobb; chief examiner, Charles S. Fowler; secretary, Clarence B. Angle; clerk, John C. Birdseye; stenographer, Mary E. Dell.

General office in Capitol, Albany.

## BOARD OF EXAMINERS.

*Albany, General Board at, for Clerical positions.*—Melvil Dewey, chairman; Charles W. Cole, P. H. McQuade, Willis E. Merriman, C. Mortimer Odell, Howard J. Rogers.

*Albion, House of Refuge for Women at.*—Clara M. Waterman, chairman; Harriet Watson, M. D., Mary K. Boyd.

*Auburn.*—John D. Teller, chairman; Orlando Lewis, Joseph P. Creveling, M. D.

*Auburn Prison.*—Conant Sawyer, M. D. chairman; Orlando Lewis, Henry D. Brewster.

*Batavia.*—John H. Ward, chairman; Carlos A. Hulls, Horace H. Hutchins, M. D.

*Batavia, Institution for the Blind at.*—F. S. Wood, chairman; Frank M. Jameson, Gerrit S. Griswold.

*Binghamton, State Hospital at.*—Charles C. Eastman, M. D., chairman; Edward Evans, Jennie Wilbur.

*Brooklyn, Courts in.*—Lemuel H. Arnold, Jr., Percy S. Dudley, Charles E. Woodridge.

*Buffalo.*—Henry A. Richmond, chairman; Charles B. Wheeler, Herman J. Kreinheder, Harvey W. Putnam.

*Buffalo, State Hospital at.*—Percy Bryant, M. D., Walter H. Conley, M. D., John H. Culp.

*Clinton Prison.*—James Moon, chairman; Julius B. Ransom, M. D., John P. Nash.

*Craig Colony.*—H. E. Brown, Mrs. J. B. Wadsworth, W. P. Spratling, M. D.

*Elmira.*—Parley Coburn, Casper S. Decker.

*Elmira Reformatory.*—C. W. McMullen, Henry F. Bush, E. E. Clark.

*Engineering positions.*—T. W. Wright, E. A. Fuertes.

*Health Officers, Local.*—Lansing B. Winne, M. D., chairman; Julius B. Southworth, M. D., George C. Lempe, M. D.

*Hospitals, State, General Boards for positions in.*—Samuel B. Ward, M. D., chairman; Charles F. Jones, M. D., B. W. Burland, M. D., Howard Van Rensselaer, M. D., Leo H. Neuman, M. D.

*Hudson, House of Refuge at.*—Albert Hoysradt, chairman; Crawford E. Fritts, M. D., Samuel R. Rainey, secretary.

*Law Clerks.*—Matthew Hale, chairman; Edwin Countryman.

*Long Island State Hospital, Brooklyn.*—Ira O. Tracey, M. D., Byron G. Williams, M. D., Caroline L. Bristol, M. D.

*Matteawan State Hospital.*—Richard Daly, M. D., chairman; Robert B. Lamb, M. D., James F. Howell, secretary.

*Middletown, State Hospital at.*—George Allen, M. D., chairman; John Cochren, C. Spencer Kinney, M. D., secretary.

*Newark, Custodial Asylum for Women at.*—Silas S. Pierson, chairman; Gertrude E. Winspear, M. Alice Brownell, M. D., secretary.

*New York City, Courts in.*—William H. Arnoux, chairman; Jacob F. Miller, Charles A. Davison, John R. MacArthur, secretary.

*Ogdensburgh, St. Lawrence Hospital at.*—Arthur C. Collier, M. D., chairman; William C. Hall, Richard H. Hutchins, M. D.

*Poughkeepsie, Hudson River State Hospital at.*—Charles H. Langdon, M. D., chairman; E. Lyman Brown, Emma Putnam, M. D.

*Rochester, State Hospital at.*—Ezra B. Potter, M. D., chairman; W. S. Remington, Eveline P. Ballantine, M. D., secretary.

*Rochester, State Industrial School at.*—Franklin H. Briggs, chairman; Edwin Foster, Margaret Craig.

*Sing Sing Prison.*—Albert Babcock, chairman; Jared Sandford, James Connaughton.

*Soldiers and Sailors' Home, Bath.*—Hon. A. C. Brundage, Charles F. Kingsley, Hon. John F. Tuttle.

*Syracuse.*—Louis L. Waters, Charles W. Bardeen.



*Syracuse, Asylum for Feeble-Minded Children at.*—John L. Barnett, chairman; William G. Hall, Alvina E. Wood.

*Thomas Orphan Asylum, Versailles.*—Irving R. Leonard, Mrs. Frank W. Kammerer, William Lawton.

*Utica, State Hospital at.*—Harold L. Palmer, M. D., chairman; John R. Jones, Clara Smith, M. D.

*Willard, State Hospital at.*—Morris J. Gilbert, Samuel F. Mellen, M. D., Henry E. Frost, M. D., secretary.

*Watertown.*—Gary M. Jones, George W. Reeves.



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## APPENDIX D.

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1. LIST OF APPOINTMENTS.
  2. LIST OF DEATHS, PROMOTIONS AND TRANSFERS IN, AND REMOVALS  
AND RESIGNATIONS FROM, THE PUBLIC SERVICE, REPORTED  
SINCE THE LAST ANNUAL REPORT.
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APPOINTMENTS, SCHEDULE B.

Date.	NAME.	Position.	Office.
1895. January	Jeannie L. Dexter .....	Clerk and typewriter .....	Secretary of State.
	Warren R. Valentine .....	Clerk and draughtsman .....	Elmira Reformatory.
	Lillian M. Jenkins .....	Clerk .....	Department of Public Instruction.
	H. C. Copeland .....	Chainman .....	State Engineer.
	Eugene Jclensperger .....	Instructor .....	Industrial School, Rochester.
	Percy Bryant .....	First assistant physician .....	State Hospital, Buffalo.
	Frances L. Waters .....	Stenographer .....	Secretary of State.
	Elizabeth Barry .....	Clerk and typewriter .....	Secretary of State.
	Charles F. Sanborn .....	Junior assistant physician .....	State Hospital, Willard.
	Helen A. Scopes .....	Junior clerk .....	Regents' Department.
	W. J. Armstrong .....	Stenographer .....	Court of Appeals.
	Julia St. J. Wygant, M. D. ....	Physician .....	Inst. for Feeble-Minded Children, Syracuse.
	Walter L. Lawton .....	Draughtsman .....	Forest Commission.
	Jesse L. Fowler* .....	Clerk .....	Regents' Department.
	Willard J. Barnes .....	Electrician .....	State Hospital, Ogdensburg.
	Valentine C. Wynne .....	Electrician .....	State Hospital, Utica.
February	Albert E. Dobbs .....	Dynamo tender .....	State Hospital, Poughkeepsie.
	Mary A. O'Brien .....	Junior clerk .....	Regents' Department.
	Levi N. Beebet .....	Bookkeeper .....	State Hospital, Matteawan.
	George F. Rogan .....	Physician .....	Elmira Reformatory.
	Robert E. Doran .....	Junior assistant physician .....	State Hospital, Willard.
	A. H. Dalzell .....	Electrician .....	State Hospital, Matteawan.
	Mrs. Julia M. Ronan .....	Clerk .....	Regents' Department.
	Charles McDermott* .....	Page .....	Regents' Department.
	John H. Johnson .....	Electrician .....	State Hospital, Binghamton.
	Julia E. Barry .....	Teacher .....	House of Refuge, Hudson.
	Anna Downs .....	Junior clerk .....	Regents' Department.
	Emelie Phillips .....	Clerk .....	Regents' Department.
March			

1	Kate G. Hanna	Clerk	Regents' Department.
1	Grace E. Barber	Clerk	Regents' Department.
1	Harriet M. Hopkins	Clerk	Regents' Department.
1	Kathryne Mattimore	Clerk	Regents' Department.
1	Stella Mattimore	Clerk	Regents' Department.
2	Sophie F. Reifen	Clerk	Regents' Department.
4	Charles H. Riley	Junior clerk	Regents' Department.
4	Edward J. Mullen	Junior clerk	Regents' Department.
4	Oscar F. Tredor	Junior clerk	Regents' Department.
4	Margaret Finnerty	Clerk	Regents' Department.
6	George B. Shumway	Electrician	Regents' Department.
7	Mae F. Gledhill	Stenographer	State Hospital, Poughkeepsie.
8	Franklin H. White	Guard	Secretary of State.
9	Delbert M. Rhodes	Guard	Elmira Reformatory.
11	Henry Sheaver	Guard	Elmira Reformatory.
12	Robert H. Whyte	Guard	Elmira Reformatory.
12	Allen J. Gould	Guard	Elmira Reformatory.
13	Theodore J. Bradley	Guard	Elmira Reformatory.
20	Garrett F. Walsh	Assistant	Elmira Reformatory.
27	John J. Farley	Guard	State Laboratory.
28	Frank B. Gilbert	Stenographer	Elmira Reformatory.
28	Owen L. Potter	Law clerk	Railroad Commission.
1	Fred. B. Remington	Law clerk	Statutory Revision.
1	Harry B. Mason	Band instructor	Statutory Revision.
4	Sarah C. Deull	Pharmacist	Industrial School, Rochester.
4	James G. Hurty*	Teacher	State Hospital, Brooklyn.
5	Edgar J. Spratling*	Clerk	Ins. for Feeble-Minded Children, Syracuse.
8	William H. Newman	Junior assistant physician	Comptroller.
10	Robert G. Wallace	Guard	State Hospital, Matteawan.
23	Mary E. Dell*	Junior assistant physician	Elmira Reformatory.
16	John J. Ryan	Stenographer	State Hospital, Binghamton.
17	George H. Quay	Guard	Civil Service Commission.
20	Frances J. Wade*	Examiner	Elmira Reformatory.
22	Frank S. Sill	Stenographer	Regents' Department.
24	Lewis Priest	Guard	Department of Public Instruction.
24	Wesley E. Cole	Guard	Elmira Reformatory.
28	Thomas P. Ryan	Guard	Clinton Prison.
31	Joseph Aldricht	Guard	Clinton Prison.
31	Ella A. Kingsley	Bookkeeper	Elmira Reformatory.
		Examiner	State Hospital, Utica.
			Regents' Department.

April

May

APPOINTMENTS, SCHEDULE B — (Continued).

Date.	NAME.	Position.	Office.
1895. June	Edward D. Burby.....	Guard.....	Clinton Prison.
	John C. Ham.....	Guard.....	Elmira Reformatory.
	Eliza Van.....	Junior clerk.....	Regents' Department.
	Mary K. Cox.....	Clerk.....	Regents' Department.
	Lillian O'Connor.....	Clerk.....	Regents' Department.
	Cora M. Bowman.....	Examiner.....	Regents' Department.
	Elizabeth L. Young.....	Examiner.....	Regents' Department.
	Edward C. Douglas.....	Examiner.....	Department of Public Instruction.
	Kate E. Chamberlain.....	Examiner.....	Department of Public Instruction.
	Howard B. Harrison.....	Examiner.....	Department of Public Instruction.
	Henry Catley†.....	Military instructor.....	Industrial School, Rochester.
	Edwin A. Jones.....	Law clerk.....	State Land Survey.
	Channey N. Titust.....	Clerk.....	Comptroller.
	Norman R. Martint.....	Clerk.....	Comptroller.
	Frank B. Stoll.....	Guard.....	Elmira Reformatory.
	Henry L. Rupert.....	Clerk.....	Regents' Department.
	William W. Jeffers.....	Assistant engineer.....	State Engineer.
	George C. Diehl.....	Leveler.....	State Engineer.
	I. O. Crissey†.....	Examiner.....	Regents' Department.
	Charles S. Many*.....	Guard.....	Sing Sing Prison.
	William B. Reading.....	Milk expert.....	Department of Agriculture.
	Walter J. Bennett.....	Milk expert.....	Department of Agriculture.
	Charles B. Wakefield†.....	Milk expert.....	Department of Agriculture.
	Anna M. Reiten.....	Examiner.....	Regents' Department.
	Annie M. Tremain.....	Examiner.....	Regents' Department.
	Sara L. Gardiner.....	Examiner.....	Regents' Department.
	Delaney Ellis.....	Examiner.....	Department of Public Instruction.
	A. G. Clement.....	Examiner.....	Regents' Department.
	Adelaide C. DuBois*.....	Junior clerk.....	Regents' Department.
July	Alice I. Eaton *.....	Examiner.....	Regents' Department.
	James Patterson.....	Fireman.....	Department of Public Buildings.
	Fred J. Palmer.....	Guard.....	Elmira Reformatory.



18	George C. Van Buren.....	Clerk and draughtsman.....	Capitol Commission.
18	Eugene M. Kempton†.....	Clerk.....	Comptroller.
19	Willard D. Lockwood*.....	Leveler.....	State Land Survey.
26	H. H. Snell.....	Examiner.....	Regents' Department.
27	Elbert M. Somers, Jr.....	Junior assistant physician.....	State Hospital, Ogdensburg.
1	Fremont C. Mead.....	Guard.....	Clinton Prison.
1	Alice M. Clark.....	Examiner.....	Regents' Department.
7	Edward S. Abrens.....	Draughtsman.....	Capitol Commission.
7	O. F. Clark.....	Draughtsman.....	Capitol Commission.
7	Charles A. Sussdorf.....	Draughtsman.....	Capitol Commission.
9	William W. Scoville.....	Guard.....	Sing Sing Prison.
9	Warren L. Babcock.....	Junior assistant physician.....	State Hospital, Ogdensburg.
20	Gilbert H. Anderson.....	Draughtsman.....	Capitol Commission.
20	Charles E. Whitney.....	Guard.....	Elmira Reformatory.
20	Clarence T. A. Meek.....	Guard.....	Elmira Reformatory.
20	Philip H. Russell.....	Guard.....	Elmira Reformatory.
22	Fred O. Priest.....	Guard.....	Elmira Reformatory.
24	Susan L. Love.....	Teacher.....	Elmira Reformatory.
24	Jennie C. Biddleman.....	Teacher.....	Industrial School, Rochester.
24	Robert M. Espie.....	Guard.....	Industrial School, Rochester.
26	Florence A. Olmstead.....	Stenographer.....	Elmira Reformatory.
26	Emma Sontag.....	Bookkeeper.....	Craig Colony.
26	Adella Brimhall*.....	Stenographer.....	Industrial School, Rochester.
28	Frances H. Decker.....	Instructor.....	State Engineer.
28	Arthur M. Collier.....	First assistant physician.....	Industrial School, Rochester.
29	Michael F. Shelly†.....	Inspector.....	State Hospital, Ogdensburg.
29	Chauncey N. Quintard†.....	Inspector.....	New York Board of Excise.
29	Robert B. McCully†.....	Inspector.....	New York Board of Excise.
29	William A. Stoutenburgh.....	Inspector.....	New York Board of Excise.
29	William Fletcher.....	Inspector.....	New York Board of Excise.
29	Patrick Sauset.....	Inspector.....	New York Board of Excise.
30	Francis M. Crowe.....	Guard.....	Elmira Reformatory.
1	C. F. Cattilaz.....	Steam engineer.....	State Hospital, Middletown.
2	Stanton L. Minier.....	Guard.....	Elmira Reformatory.
3	John T. Reardon.....	Guard.....	Sing Sing Prison.
4	Charles H. Hackert.....	Inspector.....	New York Board of Excise.
4	Emmet Norris.....	Inspector.....	New York Board of Excise.
4	Charles W. Hewitt.....	Guard.....	Elmira Reformatory.
4	William Tompkins.....	Pharmacist.....	State Hospital, Brooklyn.

August

September



12	Harry N. Ramsey	Assistant electrician	Hospital, Middletown.
15	Laura E. Fairchild	Musie teacher	Thomas Asylum.
15	Anna T. Quinn	Stenographer	Long Island Hospital.
21	Charles Z. Zipp	Apothecary	Hospital, Utica.
25	Frank H. Wood	Inspector of teachers' classes	Department of Public Instruction.
28	James Riffe	Guard	Elmira Reformatory.
29	Frederick Schneider †	Bookkeeper	Comptroller.
29	Byron M. Childs	Bookkeeper	Comptroller.
1	James Menlentyke	Instructor	Industrial School, Rochester.
1	Clarence H. Nichols	Rodman	State Engineer.
1	William Van Epps	Chainman	State Engineer.
2	James G. Hurty	Bookkeeper	Comptroller.
2	William H. Kilfoyle †	Engineer	Long Island State Hospital.
3	Manuel P. Quintana	Assistant engineer	State Engineer.
3	H. A. Van Alstyne	Assistant engineer	State Engineer.
3	Mary B. Ferris	Stenographer	Asylum, Rome.
5	Joseph B. Betts, M. D.	Assistant physician	Buffalo Hospital.
7	Harvey S. Champlin	Examiner	Banking Department.
11	Harold L. Palmer, M. D.	First assistant phyician	Hospital, Utica.
15	Leon P. Clark	Junior assistant physieian	Craig Colony.
16	Walter S. Allen	Examiner	Banking Department.
16	James S. Love	Examiner	Banking Department.
18	P. D. Murphy	Guard	Elmira Reformatory.
18	Jesse F. Miller	Engineer and dynamo tender	Craig Colony.
20	George B. Wheeler, M. D.	Junior assistant physician	Willard State Hospital.
21	Richard E. Reilly	Examiner	Banking Department.
30	Mary C. Norris	Stenographer	Banking Department.
31	Hiram S. Miller	Chainman	State Engineer.
31	Charles S. Fowler	Chief examiner	Civil Service Commission.
31	A. Nelson Cheney	Fish culturist	Fisheries, Game and Forest Commission.

\* Temporary.

† Veteran.





8	Terrence J. McGowan.....	Inspector.....	Board of Excise, New York.
8	Philip Hirshkind.....	Inspector.....	Board of Excise, New York.
8	Joseph N. Maddox.....	Inspector.....	Board of Excise, New York.
16	William J. McEwan.....	Inspector.....	Board of Excise, New York.
16	William T. Glover.....	Inspector.....	Board of Excise, New York.
16	H. B. McAllister.....	Inspector.....	Board of Excise, New York.
18	Simon Kaufmann.....	Inspector.....	Board of Excise, New York.
18	John T. McNeill.....	Inspector.....	Board of Excise, New York.
20	Joseph Kahn.....	Inspector.....	Board of Excise, New York.
27	Hugh S. Quinn.....	Inspector.....	Board of Excise, New York.
27	James A. Curley.....	Inspector.....	Board of Excise, New York.
27	William Marion.....	Inspector.....	Board of Excise, New York.
27	John W. Hunt.....	Inspector.....	Board of Excise, New York.
30	Gardner Fuller.....	Superintendent.....	Institution for the Blind, Batavia.
1	Philip S. Hurd.....	Chief clerk.....	State Board of Health.
2	August Dryer.....	Inspector.....	Board of Excise, New York.
2	Thomas F. Molony.....	Inspector.....	Board of Excise, New York.
2	Charles F. Donnelly.....	Inspector.....	Board of Excise, New York.
13	George B. Wheeler, M. D.....	Medical interne.....	State Hospital, Willard.
27	George Gernard.....	Excise agent.....	Comptroller.
27	Philip Doblin.....	Excise agent.....	Comptroller.
2	John L. Scott.....	Steward.....	Craig Colony.
17	James W. Russell, M. D.....	Medical interne.....	State Hospital, Willard.
23	Edward Robbins.....	Corporation examiner.....	Comptroller.
23	George E. Halenbeck.....	Corporation examiner.....	Comptroller.
23	William H. Baker.....	Corporation examiner.....	Comptroller.
23	David B. Galarneau.....	Corporation examiner.....	Comptroller.
23	William T. S. Lewis.....	Corporation examiner.....	Comptroller.
23	Clayton J. Bannister.....	Corporation examiner.....	Comptroller.
31	Hiram Blanchard.....	Expert examiner of machinery.....	Factory Inspector.
15	Arthur B. Strough.....	Special agent.....	Fisheries, Game and Forest Commission.
20	Harold J. Morgan.....	Medical interne.....	State Hospital, Ogdensburg.
1	Henry H. Noble.....	Stenographer.....	State Historian.
6	Henry L. Arnold.....	Superintendent.....	Swinburne Island, Quarantine Commission.
6	Frederick G. Milligan.....	Superintendent.....	Hoffman Island, Quarantine Commission.
18	Hubert R. Jaques.....	Manual training instructor.....	Elmira Reformatory.
23	Sidney D. Wilgus.....	Medical interne.....	State Hospital, Ogdensburg.
2	Mark C. Finley.....	Special agent for the detection of frauds.....	Fish Commission.

APPOINTMENTS, SCHEDULE C — (Continued).

Date.	NAME.	Position.	Office.
1895. October	Frederick A. Wheeler .....	Assistant steward .....	State Hospital, Brooklyn.
	Marie A. Johnson.....	Matron .....	State Hospital, Brooklyn.
	E. P. Felt.....	Assistant entomologist.....	State Entomologist.
	Minnie F. O'Laughlin.....	Accompanist.....	Industrial School, Rochester.
	E. D. Durand.....	Assistant librarian.....	State Library.
	Ellen D. Biscoe.....	Assistant librarian.....	State Library.
	Oliver R. Heintze.....	Principal, literary teacher.....	State School for the Blind, Batavia.
November	Leon O. Wiswell.....	Librarian.....	Department of Public Instruction.
	James Nicholson.....	Corporation examiner.....	Comptroller.
	L. Pierce Clarke, M. D.....	Medical interne.....	Craig Colony.
December	Arthur P. Shellman, M. D.....	Medical interne.....	State Hospital, Binghamton.
	Kate A. Sherry.....	Matron.....	State Hospital, Ogdensburg.
	Herbert H. Reynolds.....	Private secretary.....	Factory Inspector.
	George H. Torney, Jr., M. D.....	Medical interne.....	State Hospital, Matteawan.
	Eugene H. Goodfellow.....	Medical interne.....	State Hospital, Buffalo.
	Arthur P. Powelson, M. D.....	Medical interne.....	State Hospital, Middletown.
	James A. Skinner.....	Librarian.....	Department of Public Instruction.



# APPOINTMENTS, SCHEDULE C — COURTS.

Date.	NAME.	Position.	Office.
1895. January	Thomas E. Kearney.....	Court attendant.....	Court of General Sessions, New York.
	James Nugent.....	Stenographer.....	Board of Police Justices, New York.
	William H. Fearn.....	Assistant clerk.....	Court of Special Sessions, New York.
	William W. Burgoyne.....	Court attendant.....	New York.
	Samuel Shortridge.....	Court attendant.....	New York.
	John McCormick.....	Assistant clerk.....	City Court, New York.
	Patrick J. McDonnell.....	Assistant clerk.....	Justices' Court, Brooklyn, N. Y.
	Hiram Van Tassel.....	Attendant.....	Supreme Court, New York.
	Thomas Shiels.....	Attendant.....	Court of General Sessions, New York.
	Giles Wanamaker.....	Attendant.....	Court of General Sessions, New York.
February	Edmond R. Gibbons.....	Attendant.....	Court of General Sessions, New York.
	Robert Andrews.....	Attendant.....	Court of General Sessions, New York.
	Thomas W. Osborne.....	Stenographer.....	Court of General Sessions, New York.
	T. Harry Ward.....	Attendant.....	Court of General Sessions, New York.
	William G. Deane.....	Attendant.....	Court of General Sessions, New York.
	Lawrence V. C. Conover, Jr.....	Attendant.....	Court of General Sessions, New York.
	William M. Fuller.....	Assistant clerk.....	Court of Special Sessions, New York.
	Edmund T. Davis.....	Stenographer.....	Magistrates' Court.
	John H. Andrews.....	Stenographer.....	Magistrates' Court.
	John P. Brophy.....	Assistant clerk.....	Court of General Sessions, New York.
July	Cornelius Huth.....	Subpoena server.....	Court of Special Sessions, New York.
	John W. Brinck.....	Subpoena server.....	Court of Special Sessions, New York.
	John Hesselburger.....	Subpoena server.....	Court of Special Sessions, New York.
	Christian Schierloh.....	Subpoena server.....	Court of Special Sessions, New York.
	Austin E. Woodman.....	Subpoena server.....	Court of Special Sessions, New York.
	W. L. Trafford.....	Assistant clerk.....	Court of Special Sessions, New York.
	Patrick Hartnett.....	Attendant.....	Court of General Sessions, New York.
	Cedric Roppleye.....	Attendant.....	Court of General Sessions, New York.
	James M. McCauley.....	Attendant.....	Court of General Sessions, New York.
	William Diekmann.....	Attendant.....	Court of General Sessions, New York.
April	Alexander Schnab.....	Attendant.....	Court of General Sessions, New York.
	Charles H. Wheelock.....	Attendant.....	Court of General Sessions, New York.

APPOINTMENTS, SCHEDULE C — (Continued).

Date.	NAME.	Position.	Office.
1895. July	William McCabe.....	Attendant.....	Court of General Sessions, New York.
	Charles R. Northrup .....	Attendant.....	Court of Special Sessions, New York.
	William W. Davis .....	Clerk's assistant.....	Magistrates' Court.
	Samuel Williamson .....	Clerk's assistant.....	Magistrates' Court.
	Harry Merz.....	Clerk's assistant.....	Magistrates' Court.
	James E. Doran .....	Clerk's assistant.....	Magistrates' Court.
	Alonzo L. Mason.....	Attendant.....	Court of General Sessions, New York.
	Eugene H. Healy .....	Assistant clerk.....	Magistrates' Court.
	Nathan Klein.....	Assistant clerk.....	Magistrates' Court.
	Edgar J. Bird.....	Assistant clerk.....	Magistrates' Court.
	George W. Creiger.....	Assistant clerk.....	Magistrates' Court.
	James G. Dyer.....	Assistant clerk.....	Magistrates' Court.
	Simon Klapper.....	Clerk's assistant.....	Magistrates' Court.
	Charles A. Adams.....	Clerk's assistant.....	Magistrates' Court.
	Thomas A. Church.....	Assistant clerk.....	Magistrates' Court.
	Washington A. Costar.....	Assistant clerk.....	Magistrates' Court.
	Michael D. Gallagher.....	Assistant clerk.....	Court of General Sessions, New York.
	Isaac Eckstein.....	Attendant .....	Court of General Sessions, New York.
August	George W. Wylie.....	Attendant .....	Court of General Sessions, New York.
	David S. Veitch.....	Stenographer.....	Court of Special Sessions, New York.
	William S. McTaggart.....	Attendant .....	Court of Special Sessions, New York.
September	Charles R. Northrup.....	Subpoena clerk.....	Court of Special Sessions, New York.
	Walter H. Carpenter.....	Subpoena clerk.....	Court of Special Sessions, New York.
	Herbert H. Mase.....	Court attendant.....	Court of Special Sessions, New York.
November	B. B. Murray.....	Attendant.....	Court of Special Sessions, New York.
	Edward J. Hastings.....	Attendant.....	Supreme Court, New York.
December	John Garnett.....	Attendant.....	Superior Court, New York city.
	William P. Leggatt.....	Assistant clerk.....	Supreme Court, Brooklyn, N. Y.
	John P. Hudson.....	Assistant clerk.....	Supreme Court, Brooklyn, N. Y.
	William G. Scott.....	Assistant librarian.....	Supreme Court, New York city.
	James Owens, Jr.....	Attendant .....	Supreme Court, New York city.
	William P. Meehan.....	Attendant .....	Supreme Court, New York city.

31	Alexander B. Smith.....	Attendant .....	Supreme Court,	New York city.
31	George I. Woolley..	Attendant .....	Supreme Court,	New York city.
31	James B. Rogers.....	Attendant .....	Supreme Court,	New York city.
31	Lynn W. Thompson.....	Attendant .....	Supreme Court,	New York city.
31	Joseph H. Treanor.....	Attendant .....	Supreme Court,	New York city.
31	John J. Doyle.....	Attendant .....	Supreme Court,	New York city.
31	Jay A. Gibbs.....	Attendant .....	Supreme Court,	New York city.
31	James W. Ledwith.....	Attendant .....	Supreme Court,	New York city.
31	William G. Clark .....	Attendant .....	Supreme Court,	New York city.
31	Henry H. Alexander.....	Stenographer.....	Supreme Court,	New York city.
31	Henry G. Smith.....	Stenographer.....	Supreme Court,	New York city.
31	John P. Martin.....	Stenographer.....	Supreme Court,	New York city.
31	Arthur D. Truax.....	Assistant clerk.....	Supreme Court,	New York city.
31	O. H. Sanderson.....	Assistant clerk.....	Supreme Court,	New York city.



## APPOINTMENTS — SCHEDULE C.

## HEALTH OFFICERS — 1895

NAME.	City.	County.
Frederick W. Sears, M. D.....	Syracuse .....	Onondaga.
Albert J. Browne, M. D.....	Utica .....	Oneida.

NAME.	Village.	County.
Andrew H. Getty, M. D.....	Athens .....	Greene.
F. H. Field, M. D.....	Depew .....	Erie.
J. F. S. Eastgate, M. D.....	Ellenville .....	Ulster.
George T. Dutcher, M. D.....	Far Rockaway .....	Queens.
J. E. Moith, M. D.....	Fishkill-on-the-Hudson.	Dutchess.
Theo. D. Rupert, M. D.....	Geneva .....	Ontario.
Duncan McNab, Jr., M. D.....	Green Island .....	Albany.
Henry Fritcher, M. D.....	North Tonawanda .....	Niagara.
George W. Mangus, M. D.....	Red Creek.....	Wayne.
James F. Goodell, M. D.....	Rhinebeck .....	Dutchess.
Herbert L. Odell, M. D.....	Sharon Springs.....	Schoharie.
John J. Owen, M. D.....	Ticonderoga.....	Essex.
J. R. Simson, M. D.....	Tonawanda .....	Erie.

NAME.	Town.	County.
Andrew H. Getty, M. D. ....	Athens .....	Greene.
Alpheus Prince, M. D.....	Byron.....	Genesee.
James R. Strang, M. D.....	Clifton Park .....	Saratoga.
Fred B. Casey, M. D.....	German Flats .....	Herkimer.
William L. Allen, M. D.....	Greenbush .....	Rensselaer.
J. L. C. Whitcomb, M. D.....	Liberty .....	Sullivan.
Herbert L. Odell, M. D.....	Sharon.....	Schoharie.
John J. Owen, M. D.....	Ticonderoga.....	Essex.
George W. Mangus, M. D.....	Wolcott.....	Wayne.

## PROVISIONAL APPOINTMENTS UNDER CIVIL SERVICE RULE 38.

Date.	NAME.	Position.	Office.
1895.			
March	George A. Hicks .....	Instructor, care and firing steam boilers..	Industrial School, Rochester.
1	James H. Coulter .....	Plumber .....	Department of Public Buildings.
2	D. C. Wood .....	Surveyor .....	State Engineer.
7	F. B. Remington .....	Band instructor .....	Industrial School, Rochester.
12	James G. Geen .....	Pharmacist .....	Soldiers and Sailors' Home, Bath.
10	Thomas Law .....	Engineer of steamboat .....	Quarantine Commission.
September	Irma Campbell .....	Teacher .....	Industrial School, Rochester.
6	Mary A. O'Connor .....	Teacher .....	Industrial School, Rochester.
18	Harriot J. Hutchings .....	Teacher .....	Industrial School, Rochester.
18	C. J. Ritchie .....	Instructor, tailoring .....	Industrial School, Rochester.
17	Nicholas C. Hanna .....	Instructor, carpentry .....	Industrial School, Rochester.
October	Oliver Lock .....	Instructor, carpentry .....	Industrial School, Rochester.
17	Emil Schmidt .....	Cooking instructor .....	Elmira Reformatory.
December			
17			

LIST OF DEATHS, PROMOTIONS AND TRANSFERS IN, AND REMOVALS AND RESIGNATIONS  
FROM THE PUBLIC SERVICE, REPORTED SINCE THE LAST ANNUAL REPORT.

LIST OF DEATHS.

NAME.	Position.	Date of appointment.	Date of death.
Philip J. McCormack.....	Page, Regents' Department .....	September 2, 1892	January 21, 1895
Michael Shannon.....	Deputy, Insurance Department .....	June 9, 1892	February 1, 1895
Inez M. Schwartz .....	Examiner, Regents' Department .....	August 3, 1891	February 25, 1895
John Bisgood .....	Division engineer, State Engineer .....	January 1, 1878	April 11, 1895
Elbert Cole .....	Chief clerk, State Board of Health .....	January 25, 1895	April 17, 1895
Hiram E. Sickles.....	Reporter, Court of Appeals.....	February 13, 1872	July 4, 1895
E. Maud Sands.....	Report clerk, Regents' Department.....	October 22, 1889	July 21, 1895
E. W. Sewell.....	Bookkeeper, New Capitol Commission.....	April 12, 1883	August 4, 1895
Charles W. Allen.....	Assistant carpentry instructor, Industrial School, Rochester.....	August 1, 1890	October 3, 1895
Byron R. Solverds.....	Rodman, State Engineer.....	November 1, 1894	October 24, 1895
James E. Cuerden.....	Guard, Clinton Prison.....	June 12, 1893	November 1, 1895



LIST OF PROMOTIONS.

NAME.	Position.	Date of promotion.
12 S. D. Sample .....	Keeper, Elmira Reformatory, \$800 to \$1,000 .....	February 1, 1895
A. S. Downing .....	Conductor to supervisor, Teachers' Inst., Department of Public Instruction..	April 8, 1895
S. W. Maxsin .....	Examiner to inspector, Teachers' Training Classes, Dep. of Pub. Instruction.	April 8, 1895
M. J. Darby .....	Guard to keeper, Sing Sing Prison, \$780 to \$900 .....	May 1, 1895
John O'Keefe .....	Guard to keeper, Sing Sing Prison, \$780 to \$900 .....	May 1, 1895
Thomas Dugan .....	Guard to keeper, Sing Sing Prison, \$780 to \$900 .....	May 1, 1895
William J. Burton .....	Guard to keeper, Sing Sing Prison, \$780 to \$900 .....	May 1, 1895
Michael Gorman .....	Guard to keeper, Sing Sing Prison, \$780 to \$900 .....	May 1, 1895
Fred J. Wagner .....	Chairman to rodman, State Engineer .....	May 1, 1895
Edward Reilly .....	Guard to keeper, Sing Sing Prison, \$780 to \$900 .....	May 15, 1895
Hugh A. Lavery .....	Guard to keeper, Sing Sing Prison, \$780 to \$900 .....	June 1, 1895
D. J. Hickey .....	Stenographer, Sing Sing Prison, \$900 to \$1,200 .....	June 1, 1895
James W. Eddy .....	Guard to keeper, Clinton Prison, \$780 to \$900 .....	June 1, 1895
James Jackson .....	Keeper to State detective, Sing Sing Prison, \$900 to \$1,800 .....	June 15, 1895
W. H. Demarest .....	Keeper to clerk, Elmira Reformatory .....	July 1, 1895
J. R. Robinson .....	Keeper to clerk, Elmira Reformatory .....	July 1, 1895
T. S. Robinson .....	Guard to clerk, Elmira Reformatory .....	July 1, 1895
C. L. Fitch .....	Sergeant of the guard to keeper, Sing Sing Prison .....	August 1, 1895
Lawrence Murphy .....	Guard to keeper, Sing Sing Prison, \$780 to \$900 .....	August 1, 1895
Thomas S. Wheeler .....	Guard to keeper, Sing Sing Prison, \$780 to \$900 .....	August 1, 1895
S. W. Hammond .....	Guard to keeper, Sing Sing Prison, \$780 to \$900 .....	August 1, 1895
Daniel M. Lynch .....	Guard to keeper, Sing Sing Prison, \$780 to \$900 .....	August 1, 1895
George B. Meserole .....	Guard to keeper, Sing Sing Prison, \$780 to \$900 .....	September 1, 1895
Arthur B. Strough .....	Guard to keeper, Sing Sing Prison, \$780 to \$900 .....	September 1, 1895
A. J. Mulligan .....	Special agent, Fisheries, Game and Forest Commission, \$1,020 to \$1,200 .....	September 1, 1895
L. B. Fitch .....	Audit and pay clerk, Fisheries, Game and Forest Comm'n, \$1,200 to \$1,500 ..	September 1, 1895
Edward C. Douglas .....	Chainman to leveler, State Engineer .....	October 1, 1895
Kate E. Chamberlain .....	Examiner to clerk, Department of Public Instruction, \$1,800 to \$2,100 .....	October 1, 1895
DeLancey M. Ellis .....	Examiner to stenographer, Department of Public Instruction .....	October 1, 1895
John S. Cochran .....	Examiner to clerk, Department of Public Instruction, \$900 to \$1,000 .....	October 1, 1895
Edmund H. Smith .....	Guard to keeper, Sing Sing Prison, \$780 to \$900 .....	October 1, 1895
George H. Armstrong, M. D. ....	Financial clerk to reporter, Court of Appeals, \$2,000 to \$5,000 .....	October 7, 1895
	Third to second assistant physician, Hospital, Buffalo .....	November 1, 1895

## LIST OF PROMOTIONS — (Continued).

NAME.	Position.	Date of promotion.
Walter H. Conley, M. D.	Fourth to third assistant physician, Hospital, Buffalo.	November 1, 1895
Thomas Mulcahey	Guard to keeper, Sing Sing Prison, \$780 to \$900.	November 1, 1895
J. F. Wells.	Guard to keeper, Sing Sing Prison, \$780 to \$900.	November 1, 1895
A. M. Evans	Rodman to leveler, State Engineer	December 1, 1895
Frederick J. Lempe	Rodman to leveler, State Engineer	December 1, 1895
Frank N. Saunders	Rodman to leveler, State Engineer	December 1, 1895
L. B. Jones	Chainman to leveler, State Engineer	December 1, 1895
Guy Miller	Chainman to leveler, State Engineer	December 1, 1895
Joseph Haran	Guard to keeper, Elmira Reformatory	December 1, 1895
James H. Gunderman	Guard to keeper, Elmira Reformatory	December 1, 1895
H. A. Van Alstyne.	Leveler to assistant engineer, State Engineer	December 3, 1895
H. L. Palmer, M. D.	Second to first assistant physician, State Hospital, Utica.	December 11, 1895
W. C. Gibson, M. D.	Third to second assistant physician, State Hospital, Utica.	December 11, 1895
J. Nelson Teeter, M. D.	Fourth to third assistant physician, State Hospital, Utica.	December 11, 1895
F. A. Bagg	Rodman to leveler, State Engineer.	December 15, 1895
D. D. Waldo.	Chainman to leveler, State Engineer	December 15, 1895
H. C. Copeland	Chainman to rodman, State Engineer	December 15, 1895

## LIST OF TRANSFERS.

NAME.	Position.	Date of transfer.
George G. Armstrong, M. D. ....	Assistant physician, State Hospital, Matteawan, to State Hospital, Buffalo..	January 18, 1895
Hannah C. Hamlin .....	Clerk, Regents' Department, to Commission in Lunacy .....	March 7, 1895
Edward L. Hanes .....	Stenographer, Regents' Department, to Commission in Lunacy .....	April 8, 1895
Caroline L. Bristol, M. D. ....	Woman physician, State Hospital, Willard, to State Hospital, Brooklyn.....	October 1, 1895
George B. Shumway .....	Electrician, etc., State Hospital, Poughkeepsie, to State Hosp., Binghamton..	October 30, 1895
Flavius Packer, M. D. ....	Assistant physician, State Hospital, Ogdensburg, to State Hospital, Rochester	December 1, 1895
Herbert E. Baright, M. D. ....	Assistant physician, State Hospital, Buffalo, to State Hospital, Poughkeepsie	December 1, 1895



LIST OF REMOVALS.

NAME.	Position.	Date of appointment.	Date of removal.
Thomas Troy.....	Deputy Factory Inspector.....	April 1, 1893	January 29, 1895
John Mahaney.....	Assistant engineer, School for the Blind, Batavia.....	April 1, 1876	February 2, 1895
Albert E. Dobbs.....	Dynamo tender, State Hospital, Poughkeepsie.....	February 11, 1895	February 14, 1895
Frank T. Watson.....	Steward, Custodial Asylum, Rome.....	March 15, 1894	March 26, 1895
J. F. Handley.....	Clerk, Department of Public Instruction.....	October 1, 1894	April 6, 1895
Eugenia M. Croker.....	Confidential clerk and stenographer, Department of Public Instruction.....	July 1, 1892	April 6, 1895
Thomas J. Farley.....	Porter, Department of Public Instruction.....	June 1, 1893	April 8, 1895
William H. Talmadge.....	Inspector, Department of Public Works.....	February 1, 1895	May 9, 1895
Henry J. Van Wie.....	Inspector, Department of Public Works.....	February 19, 1895	May 9, 1895
Thomas Funson.....	Inspector, Department of Public Works.....	February 19, 1895	May 9, 1895
Hiram S. Miller.....	Inspector, Department of Public Works.....	March 7, 1895	May 9, 1895
T. J. Haran.....	Guard, Elmira Reformatory.....	May 16, 1893	May 20, 1895
James Donovan.....	Guard, Auburn Prison.....	September 18, 1893	June 1, 1895
D. Platner.....	Guard, Auburn Prison.....	January 8, 1895	June 1, 1895
Delbert M. Rhodes.....	Guard, Elmira Reformatory.....	March 12, 1895	June 20, 1895
Michael Hanlon.....	Engineer, Quarantine Commission.....	January 1, 1891	August 10, 1895
James Ivory.....	Fireman, Quarantine Commission.....	December 15, 1893	August 10, 1895
Thomas Cahill.....	Engineer, Quarantine Commission.....	April 23, 1891	August 10, 1895
Henry Sheaver.....	Guard, Elmira Reformatory.....	March 12, 1895	August 29, 1895
Thomas O'Neil.....	Clerk, Department of Public Instruction.....	September 1, 1892	September 1, 1895
George B. Church.....	Assistant, Department of Public Instruction.....	January 10, 1895	September 1, 1895
John Carroll.....	Engineer, Long Island State Hospital.....	October 14, 1891	September 21, 1895
James Murtha.....	Engineer, Long Island State Hospital.....	September 1, 1883	September 30, 1895
Clarence T. A. Meek.....	Guard, Elmira Reformatory.....	August 20, 1895	October 8, 1895
Peter Flinn.....	Guard, Clinton Prison.....	January 26, 1892	November 9, 1895
Louis Thyron.....	Instructor, Elmira Reformatory.....	April 1, 1894	November 30, 1895
Mark C. Finley.....	Special agent, Fisheries, Game and Forest Commission.....	August 8, 1895	December 15, 1895
John Liberty.....	Clerk, Fisheries, Game and Forest Commission.....	April 25, 1895	December 31, 1895

NAME.	Position.	Date of appointment.	Date of resignation.
J. F. McDermott .....	Special examiner, Insurance Department.....	June 18, 1894	January 1, 1895
Mrs. S. E. Van Vorhis .....	Matron, School for the Blind, Batavia.....	September 11, 1894	January 1, 1895
D. M. Barstow, M. D. ....	Special examiner, Insurance Department.....	November 26, 1894	January 14, 1895
H. S. Johnson .....	Guard, Elmira Reformatory.....	April 28, 1894	January 15, 1895
G. W. Herman .....	Special examiner, Insurance Department.....	October 1, 1894	January 31, 1895
G. Herbert Cohen .....	Messenger, Court of Appeals .....	March 20, 1889	February 1, 1895
James S. Ganahan .....	Steward, Quarantine Commission .....	December 1, 1894	February 1, 1895
Harriet S. Hamlin .....	Private secretary, Factory Inspector .....	April 13, 1892	February 1, 1895
George F. Rogan, M. D. ....	Medical interne, State Hospital .....	July 1, 1893	February 16, 1895
Edward K. Wadsworth .....	Band instructor, Industrial School, Rochester.....	December 1, 1894	February 28, 1895
Elizabeth L. Foote .....	Assistant, State Library .....	August 1, 1892	February 1, 1895
Julius Harburger .....	Clerk, Fourth District Court, New York city.....	December 20, 1887	March 1, 1895
J. Q. Thompson .....	Special examiner, Insurance Department .....	January 23, 1895	March 1, 1895
Aaron Fuller .....	Guard, Elmira Reformatory.....	September 8, 1894	March 5, 1895
Sylvester Andrus .....	Guard, Elmira Reformatory.....	February 26, 1894	March 22, 1895
W. E. Bond .....	Guard, Elmira Reformatory.....	April 13, 1894	March 23, 1895
J. I. Gridley .....	Guard, Elmira Reformatory.....	September 5, 1894	March 30, 1895
D. J. Kelly .....	Guard, Elmira Reformatory.....	March 12, 1894	March 30, 1895
O. W. Lakey .....	Instructor, Elmira Reformatory.....	July 6, 1893	March 30, 1895
Helen Sperry .....	Assistant, State Library .....	December 6, 1893	March 30, 1895
Albert M. Fowler .....	Examiner, Regents' Department .....	February 1, 1895	April 1, 1895
Robert G. Wallace, M. D. ....	Medical interne, State Hospital, Binghamton .....	June 12, 1894	April 1, 1895
M. J. Gorman .....	Guard, Elmira Reformatory.....	June 12, 1894	April 20, 1895
Henry L. Allen .....	Guard, Elmira Reformatory.....	October 12, 1894	April 22, 1895
O. K. Sager .....	Guard, Elmira Reformatory.....	April 5, 1893	April 24, 1895
Nelson L. Green .....	Deputy Factory Inspector .....	May 17, 1894	April 25, 1895
Fred C. Simerson .....	Expert examiner, Factory Inspector.....	May 18, 1894	April 30, 1895
H. Blanchard .....	Deputy Factory Inspector .....	June 15, 1887	April 30, 1895
L. P. Drake .....	Guard, Elmira Reformatory.....	August 23, 1894	April 30, 1895
John Shine .....	Keeper, Clinton Prison .....	September 1, 1883	May 23, 1895
Howard J. Rogers .....	Deputy Superintendent of Public Instruction.....	April 8, 1895	June 1, 1895
L. C. Hall .....	Instructor, Elmira Reformatory.....	August 1, 1892	June 10, 1895



LIST OF RESIGNATIONS — (Continued).

NAME.	Position.	Date of appointment.	Date of resignation.
L. B. Service.....	Guard, Elmira Reformatory.....	August 23, 1894	June 15, 1895
Alice G. Turner.....	Bookkeeper, Regents' Department.....	December 8, 1890	June 20, 1895
Edwin F. Crane.....	Musical director, School for the Blind, Batavia.....	September 1, 1893	June 20, 1895
Henry L. Thompson.....	Second assistant military instructor, Elmira Reformatory.....	January 11, 1895	June 22, 1895
W. S. Burns.....	Assistant, State Library.....	October 1, 1892	June 30, 1895
Mary Donnelly.....	Deputy Factory Inspector.....	November 1, 1892	June 30, 1895
Charles W. Plympton.....	Assistant, State Library.....	July 14, 1891	July 1, 1895
James Heffernan.....	Engineer, Quarantine Commission.....	June 15, 1893	July 1, 1895
Rose L. Davis.....	Assistant entomologist, State Museum.....	November 1, 1893	July 1, 1895
James A. Butler.....	Superintendent, Quarantine Commission.....	June 4, 1894	July 1, 1895
B. A. Owens.....	Superintendent, Quarantine Commission.....	March 4, 1889	July 1, 1895
John J. Shields.....	Carpenter, Quarantine Commission.....	October 15, 1894	July 8, 1895
Edward P. Doyle.....	Secretary, Fisheries, Game and Forest Commission.....	April 25, 1895	July 9, 1895
Joanna A. Reilly.....	Deputy Factory Inspector.....	November 8, 1894	July 11, 1895
Elbert M. Somers, Jr., M. D....	Medical interne, St. Lawrence Hospital, Ogdensburg.....	December 20, 1894	August 1, 1895
Allen J. Gould.....	Guard, Elmira Reformatory.....	March 12, 1895	August 3, 1895
Frank B. Stoll.....	Guard, Elmira Reformatory.....	June 19, 1895	August 13, 1895
E. H. Snyder.....	Special examiner, Insurance Department.....	February 5, 1895	August 15, 1895
Thomas C. Sawyer, M. D.....	Medical interne, St. Lawrence Hospital, Ogdensburg.....	May 1, 1894	August 15, 1895
Milton E. Gibbs.....	Teacher, School for the Blind, Batavia.....	September 1, 1894	August 15, 1895
Samuel Guthrie.....	Secretary, Quarantine Commission.....	May 9, 1892	August 16, 1895
W. Benjamin.....	Assistant electrician, Elmira Reformatory.....	February 15, 1893	August 21, 1895
Elizabeth A. Sheehan.....	Stenographer, Industrial School, Rochester.....	November 15, 1894	August 31, 1895
B. M. Childs.....	Bookkeeper, Elmira Reformatory.....	October 1, 1892	August 31, 1895
L. W. Reddington.....	Special examiner, Insurance Department.....	June 18, 1894	August 31, 1895
G. W. Cooney.....	Special examiner, Insurance Department.....	March 13, 1893	August 31, 1895
John E. Orchard.....	Special examiner, Insurance Department.....	January 1, 1895	August 31, 1895
E. C. Skinner, M. D.....	Special examiner, Insurance Department.....	March 1, 1895	August 31, 1895
John C. Ham.....	Guard, Elmira Reformatory.....	June 3, 1895	September 7, 1895
C. J. Flanagan.....	Assistant bookkeeper, Elmira Reformatory.....	January 9, 1893	September 10, 1895
Fred N. Hutchins.....	Apothecary, State Hospital, Buffalo.....	April 1, 1889	September 15, 1895
J. B. McKean.....	Special examiner, Insurance Department.....	June 1, 1894	September 15, 1895



H. D. Keefer.....	Special examiner, Insurance Department.....	August	1, 1894	September	15, 1895
Edward Ives.....	Special examiner, Insurance Department.....	October	15, 1894	September	15, 1895
O. S. Glynn.....	Special examiner, Insurance Department.....	July	1, 1895	September	15, 1895
William F. Sullivan.....	Instructor, Industrial School, Rochester.....	September	15, 1895	September	17, 1895
Mary F. Pendergast.....	Teacher, Institution for Feeble-Minded Children, Syracuse.....	July	25, 1893	September	17, 1895
Walter H. Kidder, M. D.....	Medical interne, State Hospital, Buffalo.....	June	1, 1892	September	30, 1895
James C. Spencer.....	Special examiner, Insurance Department.....	April	12, 1892	September	30, 1895
Julius Werder.....	Tailoring instructor, Industrial School, Rochester.....	October	1, 1889	October	1, 1895
Robert G. Cook, M. D.....	Second assistant physician, State Hospital, Ogdensburg.....	April	25, 1891	October	1, 1895
Nicholas Waring.....	Woodworking instructor, Industrial School, Rochester.....	March	30, 1894	October	4, 1895
Edwin B. Foster.....	Pattern-making instructor, Industrial School, Rochester.....	June	1, 1889	October	5, 1895
Daniel Sullivan.....	Boatman, Quarantine Commission.....	September	16, 1895	October	14, 1895
Benton S. Chapin.....	Private secretary, Factory Inspector.....	February	20, 1895	October	15, 1895
W. T. Coleman.....	Keeper, Elmira Reformatory.....	October	31, 1894	October	19, 1895
V. J. H. Sillo.....	Apothecary, State Hospital, Utica.....	December	31, 1894	October	20, 1895
William Moylan.....	Engineer, Long Island State Hospital.....	March	20, 1895	October	23, 1895
John Miller.....	Chief engineer, Long Island State Hospital.....	March	7, 1895	October	31, 1895
Herman Matzinger, M. D.....	Second assistant physician, State Hospital, Buffalo.....	February	1, 1889	November	1, 1895
J. M. Mosher, M. D.....	First assistant physician, State Hospital, Ogdensburg.....	October	1, 1890	November	1, 1895
William Mabon, M. D.....	First assistant physician, State Hospital, Utica.....	February	8, 1892	November	1, 1895
Theo. H. Kellogg, M. D.....	Superintendent, State Hospital, Willard.....	May	3, 1893	November	1, 1895
R. M. Elliott, M. D.....	Second assistant physician, State Hospital, Rochester.....	July	1, 1891	November	12, 1895
DeWitt M. Carter.....	General assistant, State Land Survey.....	July	19, 1895	November	20, 1895
Frederic A. Williams, M. D.....	Sixth assistant physician, State Hospital, Poughkeepsie.....	February	17, 1894	December	1, 1895
Irving J. Shultz.....	School Secretary, Elmira Reformatory.....	October	11, 1894	December	15, 1895
George B. Wheeler, M. D.....	Medical interne, State Hospital, Willard.....	May	17, 1895	December	20, 1895
B. F. Ostrum.....	Guard, Elmira Reformatory.....	August	20, 1894	December	20, 1895
Monroe Warner.....	General assistant, State Land Survey.....	June	11, 1895	December	28, 1895
O. S. Wilson.....	General assistant, State Land Survey.....	October	24, 1895	December	28, 1895
Thomas McCaffrey, D. D.....	Chaplain, Long Island State Hospital.....	October	6, 1892	December	31, 1895
Thomas Carnody.....	Chief examiner, Civil Service Commission.....	February	27, 1893	December	31, 1895
M. J. Severance.....	Clerk and examiner, Banking Department.....	July	12, 1893	December	31, 1895

## LIST OF REMOVALS AND RESIGNATIONS.

## ATTENDANTS, NURSES, ETC., IN THE STATE HOSPITALS AND SIMILAR INSTITUTIONS.

Custodial Asylum for Women, Newark.....	9
Custodial Asylum, Rome.....	14
Elmira Reformatory.....	7
Fisheries, Game and Forest Commission.....	20
House of Refuge for Women, Albion.....	2
House of Refuge for Women, Hudson.....	5
Hospital, State, Binghamton.....	64
Hospital, State, Long Island, Brooklyn.....	53
Hospital, State, Buffalo.....	42
Hospital, State, Matteawan.....	29
Hospital, State, Middletown.....	71
Hospital, St. Lawrence State, Ogdensburg.....	83
Hospital, Hudson River State, Poughkeepsie.....	123
Hospital, State, Rochester.....	16
Hospital, State, Utica.....	34
Hospital, State, Willard.....	80
Industrial School, Rochester.....	26
Institution for Feeble-Minded Children, Syracuse.....	16
School for the Blind, Batavia.....	3
Soldiers and Sailors' Home, Bath.....	2
Total.....	699

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## APPENDIX E.

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1. AMENDMENTS TO CIVIL SERVICE RULES.
2. AMENDMENTS TO CIVIL SERVICE CLASSIFICATION.
3. REQUESTS FOR CHANGES IN THE CIVIL SERVICE CLASSIFICATION, DENIED.





## Amendments to Civil Service Rules.

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### *Rule 30.*

Amended by adding at the end thereof the following: "A leave of absence may be granted, for a period not to exceed six months, to persons employed under these rules, upon showing satisfactory reasons therefor to the commission."

(Approved by the Governor, March 9, 1895.)

### *Rule 30.*

Amended by adding at the end of the second paragraph the following: "When the character of the service is exceptional and in the judgment of the Commission a competitive examination is not practicable, the application of this rule may be suspended, or modified in such manner as the Commission may deem proper."

(Approved by the Governor, March 9, 1895.)

### *Rule 31.*

Third paragraph thereof amended so as to read as follows: "The minimum age for positions in Schedule B of the State classification shall be 21 years and the maximum age 50 years at the time of application; except that for the positions of messenger, stenographer and typewriter, the minimum age shall be 18 years; for junior clerks the minimum age shall be 16 years and the maximum age 21; for pages the minimum age shall be 10 years and maximum age 17 years; for examiners in the Department of the Regents of the University *and the experts and agents in the Department of the Commissioner of Agriculture*, there shall be no maximum limit."

(Approved by the Governor, March 9, 1895.)

### *Rule 17.*

Amended by adding at the end of the first paragraph the words "Preference being given to sex if desired by appointing officers."

(Approved by the Governor, March 9, 1895.)

*Rule 31.*

Amended by striking out the following words: " And the maximum age fifty years."

(Approved by the Governor, July 4, 1895.)

*Rule 30.*

Amended by adding at the end thereof the following: " When any person, filling a position to which he has been appointed under the Civil Service Rules, shall have resigned or otherwise been displaced without fault being charged, he shall be eligible for reinstatement to the same position within one year from the date of such displacement, without re-examination."

(Approved by the Governor, October 21, 1895.)

*Rule 30.*

Amended by striking out the following: " Except that in the prisons, reformatories and asylums temporary substitutes may be appointed, without examination, for not exceeding 30 days, in cases of disability by reason of sickness or otherwise."

(Approved by the Governor, December 26, 1895.)

At a meeting of the Commission, held December 31, 1895, the following amendment to Civil Service Rule 31 was adopted:

*Resolved*, That the minimum limit of age for Pages in the State service be fixed at fourteen years at the time of application, and the maximum limit at eighteen years.



## Amendments to the State Civil Service Classification.

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### *Department of Commissioners of Fisheries.*

At a meeting of the Commission, held March 17, 1895, it was

*Resolved*, That the following resolutions be recommended to the Governor for approval :

WHEREAS, The Commisioners of Fisheries have reported to this Commission the creation of the position of General Superintendent and Foreman of Hatching Stations, and the abolition of the position of Superintendent of Hatching Stations ;

*Resolved*, That the position of General Superintendent of Hatching Stations in the Department of the Commissioners of Fisheries, be and hereby is included in Schedule A of the State Classification, in lieu of the position of Superintendent of Hatching Stations, which position has been abolished.

*Resolved*, That the position of foreman of hatching stations in the Department of the Commissioners of Fisheries, be and hereby is included in Schedule B of the State classification.

(Approved by the Governor, March 23, 1895.)

### *Board of Excise, New York City.*

At a meeting of the Commission, held March 20, 1895, the following resolution was recommended to the Governor for approval :

*Resolved*, That the position of assistant cashier in the Department of the Board of Excise, New York city, be and hereby is transferred from Schedule B to Schedule A, as it is the opinion of the Commission that in accordance with the provisions of Civil Service Rule 5, this position should be classified in that schedule.

(Approved by the Governor, March 23, 1895.)

*Department of Public Buildings.*

At a meeting of the Commission, held March 20, 1895, the following resolution was recommended to the Governor for approval :

*Resolved*, That the position of deputy superintendent in the Department of the Superintendent of Public Buildings, be and hereby is transferred from Schedule B to Schedule A, of the State Civil Service classification.

(Approved by the Governor, March 23, 1895.)

At a meeting of the Commission, held April 12, 1895, the following was adopted :

WHEREAS, The statutes provide that the positions of orderly and watchman, under the Superintendent of Public Buildings, shall be filled by veterans of the recent war, who have been honorably discharged from the military service ; and

WHEREAS, It is proper that all such veterans who are qualified, may have an equal opportunity to obtain such employment, be it

*Resolved*, That we recommend to the Governor that the positions of orderly and watchman under the Superintendent of Public Buildings be placed in Schedule B.

(Approved by the Governor, April 13, 1895).

*The State Prisons and Department of Public Works.*

At a meeting of the Commission, held January 17, 1895, the following resolution was adopted :

*Resolved*, That the classification of positions in the prisons of the State and the Department of Public Works, which are brought by the new Constitution under the Civil Service rules, be the same, so far as applicable, as existed formerly, before the decision of the Court of Appeals set it aside, namely :

## POSITIONS IN SCHEDULE A.

In the State Prisons :

The chaplain.

In the Department of Public Works :

The assistant superintendents.

The superintendents of repairs.

The special agents.

The financial clerk.

## POSITIONS IN SCHEDULE B.

Schedule B shall include all positions now existing or hereafter created, of whatever designation, which are not exempted by law or specifically designated in Schedule A, C or D, or classed as laborers.

## POSITIONS IN SCHEDULE C.

In the State Prisons :

The agent and warden.

The clerk.

The assistant clerk.

The steward.

The matron.

The superintendents of industries.

The purchasing agents, Manufacturing Department.

The superintendent of construction, Building Department.

The architect and foreman, Building Department.

## POSITIONS IN SCHEDULE D.

In the State Prisons :

The watchmen.

The machinists.

The assistant matrons.

The foremen, Manufacturing Department.

The examiners, Manufacturing Department.

In the Department of Public Works :

The harbor masters.

## POSITIONS IN SCHEDULE E.

In the State Prisons :

The keepers.

The sergeants of the guard.

## POSITIONS CLASSIFIED AS LABORERS.

In the Department of Public Works :

Patrolmen, lock-tenders, watchmen, foremen, cooks, teamsters, boat-captains, boat-commanders, water-boys, pavers, feeder-tenders, carpenters, reservoir-tenders, pilots, firemen, cranesmen, bridge-tenders, deck-hands, painters, blacksmiths, weighmasters, divers and janitors.

(Approved by the Governor, April 15, 1895.)



*Department of Public Instruction.*

At a meeting of the Commission, held April 23, 1895, the following resolution was recommended to the Governor for approval :

*Resolved*, That for the reasons set forth in the communication of the Superintendent of the Department of Public Instruction, under date of April 23, 1895, the positions of chief clerk and financial clerk in said department be and hereby are included in Schedule A of the State classification.

(Approved by the Governor, April 25, 1895.)

*Board of Excise, New York City.*

At a meeting of the Commission, held March 16, 1895, the following resolutions were adopted :

*Resolved*, That the following resolution be recommended to the Governor for approval :

*Resolved*, That the position of inspector in the excise department of the city of New York be and hereby is included in Schedule B of the State classification.

(Approved by the Governor, May 21, 1895.)

*Department of the Commissioners of Fisheries, Game and Forest.*

At a meeting of the Commission, held May 16, 1895, the following resolutions were adopted :

*Resolved*, That the following resolution be recommended to the Governor for approval :

*Resolved*, That the positions of secretary and auditing and pay clerk in the office of the Commissioners of Fisheries, Game and Forests be and hereby are included in Schedule A of the State classification.

(Approved by the Governor, May 21, 1895.)

*State Land Survey.*

At a meeting of the Commission, held June 5, 1895, the following was adopted :

WHEREAS, The Superintendent of the State Land Survey has notified this Commission of the creation of certain positions in his department,

*Resolved*, That they be classified as follows:

In Schedule A, the general assistants, the local experts and the inspector.

In Schedule B, the land title and record clerk and the general clerk.

(Approved by the Governor, June 11, 1895.)

*Thomas Orphan Asylum.*

At a meeting of the Commission, held June 5, 1895, it was

*Resolved*, That the positions at the Thomas Orphan Asylum be classified as follows:

In Schedule B, the superintendent, the teachers and the engineers.

In Schedule C, the physician and matron.

In Schedule D, farmers, cooks, attendants.

(Approved by the Governor, June 11, 1895.)

*Department of the State Historian.*

At a meeting of the Commission, held June 5, 1895, the following resolution was recommended to the Governor for approval:

*Resolved*, That the stenographer in the office of the State Historian be classified in Schedule B of the State classification.

(Approved by the Governor, June 11, 1895.)

*Comptroller.*

At a meeting of the Commission, held June 5, 1895, the following resolution was recommended to the Governor for his approval:

*Resolved*, That for the reasons set forth in a certain communication from the State Comptroller, under date of May 29, 1895, the position of excise agent in his department be and hereby is included in Schedule C of the State classification.

(Approved by the Governor, June 11, 1895.)

*Sing Sing Prison.*

At a meeting of the Commission, held June 5, 1895, the following was recommended to the Governor for his approval:

*Resolved*, That the position of State detective in Sing Sing prison be and hereby is included in Schedule A of the State classification.

(Approved by the Governor, June 11, 1895.)

*Comptroller.*

At a meeting of the Commission, held June 25, 1895, the following was adopted:

WHEREAS, It appears from a communication from the Comptroller, under date of June 18, 1895, that the duties of the position of corporation examiner in his department are of a detective nature,

*Resolved*, That said position be and hereby is included in Schedule C of the State classification.

(Approved by the Governor, July 4, 1895.)

*Department of the Commissioners of Fisheries, Game and Forest.*

At a meeting of the Commission, held June 25, 1895, it was

*Resolved*, That the following positions be included in Schedule B, viz.: The fish culturist, the engineer, the stenographer, the clerk to the chief game and fish protector, the superintendent of hatcheries, the draughtsman and the clerks.

In schedule D, the chief protector, the protectors and foresters, two assistants to the chief game and fish protector and forester, and the oyster protector.

(Approved July 4, 1895.)

*Department of Public Instruction.*

At a meeting of the Commission, held June 25, 1895, it was

*Resolved*, That the position of institute lecturer in the Department of Public Instruction be and hereby is included in Schedule A of the State classification.

(Approved by the Governor, July 4, 1895.)

*Court of Special Sessions, New York City.*

At a meeting of the Commission, held June 25, 1895, it was

*Resolved*, That the position of interpreter in the Court of Special Sessions in New York city be and hereby is included in Schedule A of the State classification.

(Approved by the Governor, July 4, 1895.)

*Factory Inspector.*

At a meeting of the Commission, held July 30, 1895, it was

*Resolved*, That the positions of expert examiner and expert examiner



of machinery in the Department of the Factory Inspector be and hereby are included in Schedule B of the State classification.

(Approved by the Governor, August 12, 1895.)

*Department of the Commissioners of Fisheries, Game and Forest.*

At a meeting of the Commission, held July 31, 1895, it was

*Resolved*, That the following named positions in the Department of the State Fisheries, Game and Forest Commission be classified as follows:

In Schedule B, the engineer in charge of survey of oyster territory and of the New York office, the license and permit clerk.

In Schedule C, the special agent for the appraisement of lands and examination of titles, the special agent for detection of frauds.

(Approved by the Governor, August 12, 1895.)

*Department of Public Instruction.*

At a meeting of the Commission, held July 31, 1895, it was

*Resolved*, That the position of conductor of institutes in the Department of Public Instruction be and hereby is included in Schedule A.

(Approved by the Governor, August 12, 1895.)

*Thomas Orphan Asylum.*

At a meeting of the Commission, held July 31, 1895, it was

*Resolved*, That by reason of the small salary paid and the peculiar circumstances surrounding the position of kindergarten teacher in the Thomas Orphan Asylum, and the fact that a teacher of their own race is desirable, the position of teacher in the kindergarten of the Thomas Orphan Asylum be and hereby is included in Schedule C.

(Approved by the Governor, August 12, 1895.)

*New Capitol Commission.*

At a meeting of the Commission, held July 31, 1895, it was

*Resolved*, That the position of clerk to the New Capitol Commission be and hereby is included in Schedule A of the State classification.

(Approved by the Governor, August 12, 1895.)

*State Historian.*

At a meeting of the Commission, held August 27, 1895, the following resolution was recommended to the Governor for approval:

*Resolved*, That the position of stenographer in the office of the

State Historian be classified in Schedule C of the State Civil Service classification.

(Approved by the Governor, September 1, 1895.)

*Institution for the Blind at Batavia.*

At a meeting of the Commission, held August 27, 1895, it was

*Resolved*, That the position of musical director at the State Institution for the Blind, at Batavia, be classified in Schedule A of the State Civil Service classification.

(Approved by the Governor, September 1, 1895.)

*Department of the Commissioners of Fisheries, Game and Forest.*

At a meeting of the Commission, held October 9, 1895, it was

*Resolved*, That the position of assistant oyster protector in the Department of the State Fisheries, Game and Forest Commission be and hereby is classified in Schedule D of the State Civil Service classification.

(Approved by the Governor, October 21, 1895.)

*Department of Public Instruction.*

At a meeting of the Commission, held October 9, 1895, it was

*Resolved*, That the classification of positions in Schedule A in the Department of Public Instruction be amended by striking out the words and figures, "The assistant, per chapter 671, Laws of 1894," and inserting in lieu thereof the words and figures, "Two assistant superintendents, per chapter 988, Laws of 1895."

(Approved by the Governor, October 21, 1895.)

*State School for the Blind, Batavia.*

At a meeting of the Commission, held October 9, 1895, the following resolutions were adopted:

WHEREAS, It is made to appear to the Commission, that none of the three persons certified for the position of head teacher of the literary department of the New York State School for the Blind, at Batavia, possesses the peculiar qualifications necessary for that position,

*Resolved*, That the following resolution be respectfully recommended to the Governor for approval:

*Resolved*, That the position of head teacher of the literary department of the New York State School for the Blind, at Batavia, be and



hereby is transferred from Schedule B to Schedule C of the State Civil Service classification.

(Approved by the Governor, October 21, 1895.)

*State Commission of Prisons.*

At a meeting of the Commission, held November 12, 1895, it was

*Resolved*, That the position of secretary of the State Commission of Prisons, be and hereby is included in Schedule A of the State Civil Service classification.

(Approved by the Governor, November 20, 1895.)

*Office of the Clerk of the Court of Appeals.*

At a meeting of the Commission, held November 12, 1895, it was

*Resolved*, That for the reasons set forth in a communication from Gorham Parks, clerk of the Court of Appeals, dated October 22, 1895, the position of financial clerk in the office of the Court of Appeals, be and hereby is included in Schedule A of the State Civil Service classification.

(Approved by the Governor, November 20, 1895.)

*Board of Excise, New York City.*

At a meeting of the Commission, held November 12, 1895, the following resolution was adopted :

*Resolved*, That for the reasons set forth in the communication from the New York board of excise, dated October 25, 1895, eight special agents under said board, be and hereby are included in Schedule A of the State Civil Service classification.

(Approved by the Governor, November 20, 1895.)

*Department of Public Instruction.*

At a meeting of the Commission, held December 3, 1895, it was

*Resolved*, That the classification of positions in Schedule A in the Department of Public Instruction be amended by striking out the words and figures "Two assistant superintendents, per chapter 988, Laws of 1895," and inserting in lieu thereof "Three assistant superintendents, per chapter 988, Laws of 1895."

(Approved by the Governor, December 20, 1895.)



*Appellate Court, First Division, New York City.*

At a meeting of the Commission, held December 3, 1895, it was

*Resolved*, That each judge of the Appellate Court be permitted a special clerk in Schedule A for the reasons set forth in the communication from Chief Judge Van Brunt, dated November 24, 1895.

(Approved by the Governor, December 20, 1895.)

*General.*

At a meeting of the New York Civil Service Commission, held November 12, 1895, the following resolution was adopted:

*Resolved*, That subject to the approval of the Governor the following named positions be transferred from Schedules A and C to Schedule B of the State classification:

In the Insurance Department:

The special examiners. (A to B.)

In the Normal Schools:

The principals, professors, teachers. (A to B.)

In the office of the Superintendent of State Prisons:

The clerk. (A to B.)

In the office of the Railroad Commission:

The inspector. (A to B.)

In the office of the Board of Claims:

The deputy clerk. (A to B.)

In the office of the Civil Service Commission:

The chief examiner. (A to B.)

In the office of the Commissioner of Agriculture:

The veterinarian. (C to B.)

In the office of the Factory Inspector:

The deputy inspectors. (A to B.)

The expert examiners. (C to B.)

The expert examiner of machinery. (C to B.)

At the Agricultural Experiment Station:

The chemists. (A to B.)

The horticulturists. (A to B.)

The agriculturists. (A to B.)

In the office of the Health Officer of the Port of New York :

The boat captains. (A to B.)

The bacteriologist. (C to B.)

In the office of the Quarantine Commission :

The superintendents. (C to B.)

In the State Library :

The librarians and their respective assistants. (C to B.)

In the State Museum :

Geologist, botanists, entomologists and their respective assistants.  
(C to B.)

(Approved by the Governor, December 31, 1895.)

#### REQUESTS FOR CHANGES IN THE STATE CIVIL SERVICE CLASSIFICATION, DENIED.

At a meeting, held March 6, 1895, the request of Superintendent Brockway of the Elmira Reformatory, dated January 30, 1895, for the transfer of the position of band instructor, from Schedule B to Schedule D was denied.

At a meeting of the Commission, held March 19, 1895, a letter from Frederick Easton, Superintendent of Public Buildings, dated March 7, 1895, requesting that the position of storekeeper in his department be transferred from Schedule B to Schedule A, was read and on motion the following adopted :

*Resolved*, That the secretary be instructed to communicate with Superintendent Easton and inform him that the records of this department show that a former commission transferred the position of storekeeper in his department from Schedule A to Schedule B, and that this commission can see no good reason for changing that decision.

At a meeting of the commission, held April 23, 1895, a communication from Z. R. Brockway under date of April 18th, was read, asking that the positions of doorman and shipper and packer in the State Reformatory be transferred to Schedule D. On motion the requests were denied and the secretary directed to inform Mr. Brockway that if he is satisfied that proper persons for filling the positions in question can not be procured by selection from the eligible lists in this office, special competitive examinations for filling the positions would be held upon request.

At a meeting of the Commission, held July 31, 1895, a communication from the Attorney-General, under date of July 30th, requesting that the position of brief clerk in his department be included in Schedule C of the State classification was read and the request denied.

At a meeting of the Commission, held July 31, 1895, a communication from Frank S. Wood of the board of managers of the State Institution for the Blind, at Batavia, requesting the exemption of the position of musical director in said institution was read, and the request denied.

At a meeting of the Commission, held December 3, 1895, a communication, dated November 20, 1895, from the board of commissioners of electrical subways of Brooklyn, requesting the exemption of a confidential messenger, was read and the request denied, on the ground that the reasons given were not sufficient to warrant the change in classification asked for, the Commission being of the opinion that the position should be filled from the eligible list of messengers.



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## APPENDIX F.

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1. AMENDMENTS TO CITY REGULATIONS, APPROVED.
2. PROPOSED AMENDMENTS TO CITY REGULATIONS, DISAPPROVED.
3. CIVIL SERVICE REGULATIONS OF THE CITY OF JAMESTOWN,  
APPROVED.



# Amendments to City Regulations, Approved.

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## *Civil Service Regulations of the City of Syracuse.*

MAYOR'S OFFICE, CITY HALL,  
SYRACUSE, N. Y., *January* , 1895. }

In the exercise of the authority conferred upon me by the laws of the State of New York, I, Jacob Amos, Mayor of Syracuse, hereby prescribe the following regulations as amendatory to and in modification of those prescribed by Thomas Ryan, Mayor of Syracuse, in the month of October, 1884, and approved by the New York Civil Service Commission.

(Signed.) JACOB AMOS,  
*Mayor.*

### *Regulation I.*

Strike out the third paragraph of regulation 1, and in lieu thereof substitute the following:

“All positions not purely clerical, filled by the common council, viz.: City clerk, city treasurer and tax receiver, corporation counsel, city surveyor and engineer, commissioner of public works, members of the board of health, custodian of city hall, messenger of city hall, city physician, weigher of hay, sealer of weights and measures, sextons of cemeteries.”

### *Regulation V.*

To regulation 5 add another section to be numbered II, and read as follows:

“II. Applicants for positions in the police department will be examined by the police surgeon, and applicants for positions in the fire department will be examined by the surgeon of that department.

“All applications for appointments in the police department of the city of Syracuse must show that the applicants:

“*First.* Are citizens of the United States, and have been residents of Syracuse for at least ten years prior to the date of their application.

“*Second.* Are not less than twenty-one (21) or more than thirty-two (32) years of age.



“ All applicants must be not less than five feet nine inches in height, and their weight and chest measure shall be certified by the department surgeon to conform to the height as per following table :

	Weight must be not less than	Average chest measure- ment to be not less than the following and to have an expansion of at least three inches.
For height of five feet nine inches.....	145 pounds.	34½ inches.
For height of five feet ten inches.....	150 pounds.	35 inches.
For height of five feet eleven inches.....	155 pounds.	35½ inches.
For height of six feet.....	160 pounds.	36 inches.
For height of six feet one inch.....	165 pounds.	36½ inches.
For height of six feet two inches.....	170 pounds.	37 inches.
For height of six feet three inches.....	175 pounds.	37½ inches.

“ All applications for appointments in the five departments of the city of Syracuse must show that the applicants :

“ *First.* Have been citizens of the United States at least five (5) years and residents of Syracuse at least three (3) years prior to the date of their application ; that he is not less than twenty-one (21) or more than thirty years of age ; not less than five feet five inches and not more than six feet four inches in height, and that his weight and chest measure conforms to his height in not less than the figures shown in the following table :

	Weight must be not less than	Average chest measure- ment to be not less than the following and to have an expansion of at least three inches.
For height of five feet five inches.....	130 pounds.	33 inches.
For height of five feet six inches.....	130 pounds.	33 inches.
For height of five feet seven inches.....	135 pounds.	33½ inches.
For height of five feet eight inches.....	140 pounds.	34 inches.
For height of five feet nine inches.....	145 pounds.	34½ inches.
For height of five feet ten inches.....	150 pounds.	35 inches.
For height of five feet eleven inches.....	155 pounds.	36 inches.
For height of six feet.....	160 pounds.	36½ inches.
For height of six feet one inch.....	165 pounds.	37½ inches.
For height of six feet two inches.....	170 pounds.	38 inches.
For height of six feet three inches.....	175 pounds.	39 inches.
For height of six feet four inches.....	180 pounds.	40 inches.

*Regulation VI.*

In regulation 6 after the first sentence, ending "applicants notified to amend the same," insert the following sentence:

"Whenever the application does not show that the applicant is within the prescribed limits of age and is otherwise qualified under the regulations, the application will be rejected."

*Regulation X.*

In regulation 10 after the word "seventy" insert the words "or whose standing on physical examination is less than 85."

And at the end of the same regulation add the following:

"The board may at any time require a re-examination as to the applicant's physical condition."

OFFICE OF THE NEW YORK CIVIL SERVICE COMMISSION, }  
ALBANY, N. Y., *January 17, 1895.* }

The foregoing amendments to the Civil Service regulations for the city of Syracuse, having been duly examined, are hereby approved by the New York Civil Service Commission.

Attest: CLARENCE B. ANGLE,

[L. S.]

*Secretary.*

### New York City Civil Service Regulations.

At a meeting of the New York Civil Service Commission held March 6, 1895, the following amendments to the New York city civil service regulations, having been duly examined, were approved :

That regulation 2 be amended by adding to the second paragraph thereof the words, "also, all public employes however designated, whether as 'skilled laborers' or otherwise, who may be called upon to do, or shall in fact do any clerical work."

That regulation 3 be amended by striking out the second paragraph thereof and substituting the following :

"This board shall be composed of the secretary of the boards and as many citizens designated by the mayor as the Civil Service Commissioners may deem necessary. None of such examiners, however, shall be a public officer or employed in any department of the municipal government."

That the sixth paragraph of Civil Service regulation 3 be amended so as to read as follows :

"In addition to the board of examiners hereinbefore prescribed, there shall be a supervisory board to be composed of five citizens designated by the mayor, whose duty it shall be : "

That the first paragraph of Civil Service regulation 6 be amended so as to read as follows :

"Applications of competitors for positions included in Schedules B, C, D, E and F, must be addressed to the Secretary of the Civil Service Supervisory and Examining Boards, New York city, and for all positions except patrolman, fireman and park policeman, must be accompanied by the following papers,"

That the second subdivision of regulation 6, being the third paragraph of said regulation, be amended so as to read as follows :

"Second. A statement whether such application is limited to any particular office or officers in the service."



That said regulation 6 be further amended by inserting just before the last paragraph the following:

“ All applications for examination shall be filed in the office of the secretary and all application and other blanks shall be kept at his office and shall be procurable there only.”

That regulation 16 be amended so as to read as follows :

*Certification and Appointment.*

“ Whenever a vacancy shall occur within any grade of any class in Schedules B, C, D, E and F, which in the opinion of the appointing officer the business of the city requires to be filled, he shall forthwith notify the secretary of the vacancy, and state whether the same is to be filled by appointment or by promotion.

“ If the position to be filled is a clerkship, the appointing officer shall state whether it is a minor clerkship or whether any of the special qualifications denoted by the optional subjects are essential, and if so, which. The secretary thereupon shall, as soon as practicable, certify to the appointing officer for appointment or for promotion from the eligible list appropriate to such position as it may then exist, the three persons having the highest standing on such eligible list, indicating such of them, if any, as have been honorably discharged from the military or naval service of the United States in the late war.

“ If the appointing officer shall notify the secretary of more than one vacancy at any one time, the secretary shall certify to the appointing officer for appointment or for promotion as the case may be, the names of as many persons as there are vacancies to be filled, with the addition of two names. No requisition for names to fill more than ten vacancies shall be made at any one time. In all cases the vacancies shall be filled at the meeting of the appointing board next after the receipt of the names certified, where the appointing power consists of more than one person, and within ten days after the receipt of such names, where the appointing power is a single person.

“ If the appointing officer shall signify that attainment in one or more of the optional subjects is essential, the secretary shall certify the names of the three persons whose standing on the denoted optional subject is the highest (not being below the minimum of seventy). The examining board may at any time hold a competitive examination to fill a vacancy of this kind if in their judgment, the eligible list does not contain three persons well qualified to fill the vacant position.

“ The certificate of the secretary shall in all cases state the percentage of the maximum obtained by each of the three persons in his

examination. Within five days after making an appointment or a promotion, the appointing power shall notify the secretary thereof.

“Where eligible lists are applicable to more than one department and names have been certified therefrom, in compliance with a requisition from the appointing power, the secretary shall, in case no appointment therefrom is notified within ten days from the time such names have been certified, certify the same names to any other department making requisition to fill vacancies in the same position.

“Whenever the appointing officer who shall have made a requisition to fill a certain number of vacancies shall appoint or promote to office a number smaller than that of the vacancies named by him, he shall not make the selection therefor from the whole number certified to him, but only from that number of names standing highest upon the list that would have been certified to him had the requisition stated the number of vacancies which he actually filled.

“All positions filled by selections based on optional or special subjects shall be specially noticed in the published list of appointments and in the official registry of qualifications and schemes for examination, as being special positions in respect of such qualifications.

“This regulation shall not apply to any of the positions for which provision is otherwise made in regulation 31, or may hereafter be made pursuant to regulations 32 and 33.”

That the first paragraph of regulation 18 be amended so as to read as follows:

“All applications for appointment to any position in Schedule C shall be made upon blanks furnished by the Secretary of the Civil Service Supervisory and Examining Boards and the same shall be filed in the office of the said secretary. For all positions in said schedule, except doorman in the police department, the first of said blanks to be presented by the applicant in person, shall be substantially as follows:

“CITY OF NEW YORK, . . . . ., 189 .

“*To the Board of Civil Service Commissioners of the City of New York:*

“The undersigned states that he is . . . . . years of age, respectfully asks an appointment as . . . . . in the . . . . . department, city of New York, and refers to the following testimonials.

Signed . . . . .”



That the third paragraph of said regulation 18 be amended so as to read as follows :

“ The second, which must be filled out and signed in the presence of the secretary or of a clerk of the Civil Service boards, who shall also sign as witness, shall be as follows :

“ (N. B. — This statement of applicant must be filled out and signed in the presence of the secretary or of a clerk of the Civil Service boards, who shall also sign as a witness). ”

That the statement of the applicant, the form of which is set forth in the third paragraph of regulation 18, be amended by striking out the question “ What was your last occupation ? ” and inserting in place thereof, “ What has been the nature of your occupation for the last five years ? ”

Also, that the words “ Department of the City of New York ” at the head of the form of affidavit appended to the applicant's statement in said regulation 18 be stricken out and the words “ City and County of New York, ss. : ” be substituted in place thereof.

That regulation 19 be amended by striking out all after the word “ determine ” in the third line thereof.

That the last paragraph of regulation 20 be amended so as to read as follows :

“ The medical and physical examiners of the Civil Service boards shall examine the applicant in reference to the matters designated in the following schedule, and fill up and certify the same in accordance with the result of such examination. ”

That the certificate at the end of regulation 20 be amended by striking from the title thereof the words “ Examining Surgeon ” and substituting therefor the words “ Medical and Physical Examiners. ” And that the personal pronoun “ I ” where it occurs in said certificate be changed to “ we, ” and the pronoun “ my ” be changed to “ our. ”

That regulation 21 be amended by striking out the first nine words, namely, “ The Examining Board shall designate some suitable person who, ” and substituting therefor the words, “ The physical examiner. ”

That regulation 54 be amended by striking therefrom the fifth and sixth paragraphs and substituting in place thereof the following :

“ Promotions shall be made by successive grades. In case of a vacancy in any position it shall be filled by a selection from the next inferior grade. It shall be the duty of the department in which a vacancy occurs, to notify all persons employed in the next inferior



grade, and if there be no such person or persons, then all persons in the next inferior grade and so on until all the inferior grades are exhausted, if necessary, that there will be a competitive examination for promotion.

“It shall be the duty of the officer or officers constituting the appointing power in the department in which a vacancy exists to make and forward to the Civil Service Board their joint or several certificates as to the efficiency, character and conduct of every person in such inferior grade who desires to become an applicant for such promotion, together with such other statements bearing upon the fitness of such person or persons for promotion as the officer so certifying shall deem proper.”

That regulation 59 be amended by adding thereto the following words: “All paper upon which examinations are to be written shall be furnished to applicants by the examining board and shall bear some suitable official endorsement, stamp or mark, for the purpose of identifying the same.”

That Appendix A to said regulations be amended by adding at the end of the third paragraph thereof the words: “Also all public employes, however designated, whether as ‘skilled laborers’ or otherwise, who may be called upon to do, or shall in fact do any clerical work.”

That Appendix A be further amended by adding at the end thereof the following: “Provided, however, that no public employe, however designated, whether as ‘skilled laborer’ or otherwise, who may be called upon to do or shall in fact do, any clerical work, shall be included in Schedule G.”

Attest: CLARENCE B. ANGLE,  
[L. s.] Secretary.

At a meeting of the New York City Civil Service Commissioners, held March 16, 1895, it was

*Resolved*, That this board recommend to the mayor the adoption of the following proposed Civil Service regulations for the registration of laborers in the Civil Service of the city of New York:

#### LABOR SERVICE, SCHEDULE G.

##### *Regulation 68.*

Schedule G shall include all laborers and other employes in the city service, who shall not be subject to examination under the Civil Service Rules, or be specifically exempted from examination by said rules or by the statutes of this State.

There shall be appointed by the mayor, on the recommendation of the Civil Service Commissioners, to hold office during his pleasure, at such salary as he may fix, a clerk of the Civil Service Commissioners of the city of New York, to be known as the labor clerk.

It shall be the duty of each department of the city service to report in writing to the secretary of the Civil Service Commissioners, within ten days after a written request from him for such report, the names, duties and salaries of all employes hereby classified in Schedule G who shall, at the date of such request, be in the service of such department.

*Regulation 69.*

All persons seeking any employment classified in Schedule G shall apply for registry for such employment to the labor clerk of the Civil Service Commissioners, who shall thereupon forthwith deliver to the applicant, or mail to him at the address given by him, a copy of these rules and an application blank of such form as shall be prescribed by the Civil Service Commissioners, calling for the name, age, residence and citizenship of the applicant, the number and relationship of the persons dependent upon him for support, his previous occupation and service, if any, in the army or navy of the United States, and the date of his discharge therefrom, and also a certificate of character for the purpose of signature by two reputable residents of New York city, one of whom is or shall have been an employer of the applicant, vouching for his sobriety, trustworthiness, industry and capacity for labor in the employment for which he seeks to be registered.

Upon receiving such application, duly filled out and signed by the applicant with his name or mark, together with such certificate of character, duly filled out and executed, the labor clerk shall cause a number to be affixed to the application, showing the order of its receipt, and thereafter in such order shall cause a written notice to be sent to the applicant, stating the time and place of his examination for registry fixed by the Civil Service Commissioners, as hereinafter provided; at which time and place such examiner or examiners as may be selected by the Civil Service Commissioners shall, in such manner as they shall prescribe, make inquiry regarding the age, residence, citizenship, character, physical condition, family, previous occupation and military service of the applicant, and ascertain and determine whether he is qualified for the employment sought, and shall indorse a statement of the determination in that regard and the reasons for it upon his application, which shall thereupon be placed on file in an envelope bearing the applicant's name and the number of his applica-



tion. No educational test or qualification shall be required, but any willfully false statement or fraudulent conduct on the part of the applicant shall disqualify him for registration.

For any other service than that of common laborer, candidates will be required to produce a certificate from some competent person or persons of his ability to do the special kind of work for which he desires to be certified.

*Regulation 70.*

All applicants determined to be qualified for the employment sought shall be registered in the order of their application in a labor register to be kept by the labor clerk. This register shall subdivide such applicants according to the kind of labor, unskilled or special, for which they are determined to be qualified. It shall state the name, age, residence, citizenship and previous occupation of the applicant, the kind of labor, unskilled or special, for which he is qualified, the date of his application, the number and relationship of the persons dependent upon him for support, the nature of his service, if any, in the army or navy of the United States in time of war and of his discharge therefrom, his references and such other information with reference to the applicant as the Civil Service Commissioners may from time to time require.

Examinations for registry shall be held under the direction of the Civil Service Commissioners as often as the city service may require.

On and after the .... day of ....., 1895, appointment to positions included in Schedule G shall be made from said registry, except as herein otherwise provided.

*Regulation 71.*

When the services of laborers or other employes included in Schedule G are required in any department of the city service, the officer of such department thereto duly authorized shall make a written requisition upon the labor clerk stating the number of persons required, the kind of labor, unskilled or special, for which they are required, and the time and place of employment. Upon receiving such requisition the labor clerk, under the direction of the Civil Service Commissioners, shall certify to such officer from the registry the names of as many persons as there are vacancies to be filled, with the addition of two names for every ten vacancies, if the registry contain so many, stating, as to each, his name, registration number, residence, the kind of labor, unskilled or special, for which he has been determined to be qualified, and giving such other information as the Civil



Service Commissioners may direct. In making such certification the labor clerk shall certify in the order of registration :

First.—Veterans with families dependent upon them for support.

Second.—Other veterans.

Third. — Persons, not veterans, with families dependent upon them for support.

Fourth.— Other persons.

If there be no subdivision covering the kind of labor required, or if the names in such subdivision be exhausted, the labor clerk shall certify from the subdivision covering unskilled labor, unless the officer making the requisition shall designate some other subdivision and there shall be names enough therein to comply with the requisition. In such case the certification shall be made from such subdivision.

From the number of persons so certified the officer making the requisition shall select the number required and report to the labor clerk the names, registration numbers and addresses of the persons so selected; provided, however, that whenever the officer who shall have made the requisition for a certain number shall employ a smaller number, he shall not make the selection therefor from the whole number certified to him, but only from that number of names standing first upon said list that would have been certified to him had the requisition stated the number of vacancies which he actually filled.

#### *Regulation 72.*

Any persons not selected shall remain upon the registry, and any persons selected shall, if they so request, be restored to the registry in the order in which they originally stood thereon upon the termination of the employment, unless the employment has been terminated by reason of the failure to work, incompetence or physical or moral disqualification of the employe. In the case of every employe, the department of the city service employing him shall forthwith report to the labor clerk the names and number of the persons employed, and upon the termination of the employment shall report on a form to be prepared and furnished by the Civil Service Commissioners for that purpose, the date of such termination and the reason thereof, and the substance of such report shall be entered upon the registry against the name of such employe. No employe whose employment is terminated for the reason of failure to work, incompetence or physical or moral disqualification shall be restored to the registry or be again eligible for registration until the expiration of a period of six months from the date of such termination, and then only upon furnishing to

the examiners satisfactory excuse for his failure to work, and satisfactory evidence that incompetence or physical or moral disqualification for the employment for which he seeks to be registered does not exist.

*Regulation 73.*

In case the labor clerk is at any time unable to fill a requisition, he shall certify the fact to the officer making the requisition, who shall then make the selection of the employes immediately required in such manner or under such regulations as the Civil Service Commissioners may from time to time prescribe.

Laborers so selected shall not be retained in employment for a longer time than one week unless they shall present themselves at the Civil Service labor office for registration, in the manner and under the conditions prescribed for those seeking employment as set forth in the special regulations in relation to the employment of laborers.

*Regulation 74.*

No laborer or other employe, whose employment is classified in Schedule G, shall be detailed to perform the duties appertaining to any position, or be appointed or promoted to any position classified in either of the other schedules, except upon the conditions prescribed in the Civil Service Regulations for appointment or promotion to such position.

ALBANY, N. Y., *March 21, 1895.*

The foregoing amendments to the Civil Service Regulations for the city of New York, having been duly examined, are hereby approved by the New York Civil Service Commission.

Attest:                      JOHN C. BIRDSEYE,  
[L. s.]    *Secretary pro tem.*

At a meeting of the New York City Civil Service Commissioners held March 16, 1895, it was

*Resolved*, That this board recommend to the mayor the adoption of the following additional regulation in the Labor Service :

*Regulation 75.*

No applicant can be registered as "office boy" who is more than 21 years of age.

Office boys shall be employes actually employed as such in the



offices of the department of public service, and who are paid at a rate not exceeding \$25 per month.

*Resolved*, That this board recommend to the mayor that Civil Service Regulation 2 be amended by including therein the following, after the second paragraph :

“Office boys who have served as such for two years may, at the request of the head of the department in which they have served, be examined for the position of junior clerk, which position shall be classified in Schedule B.”

“Junior clerks shall be divided into two classes. Class 1 shall consist of employes who are paid at a rate not exceeding \$40 a month. Class 2 shall consist of employes who are paid at a rate not exceeding \$50 a month. Promotions from Class 1 to Class 2 shall be made as a result of competitive examination. Junior clerks shall not be eligible to the position of clerk of any grade except after the competitive examination prescribed for original appointment to said position.”

At a meeting of the New York City Civil Service Commissioners held March 23, 1895, it was

*Resolved*, That this board recommend to the mayor that the first paragraph of Regulation 24 be amended by changing the relative weights of the subject therein mentioned, so that the same shall read as follows :

Physical qualifications .....	4
Experience .....	1
Obligatory subjects.....	5
	<hr/>
Total of values.....	10
	<hr/>

ALBANY, N. Y., *April* 11, 1895.

The foregoing amendments to the New York City Civil Service Regulations, having been duly examined, are hereby approved by the New York Civil Service Commission.

Attest:

CLARENCE B. ANGLE,

[L. S.]

*Secretary.*

At a meeting of the New York City Civil Service Commissioners, held March 16 and 30, it was

*Resolved*, That this board recommend to the mayor that Civil



Service Regulation 60 be amended by transposing the language so that the regulation shall read as follows :

“ All examinations shall be in writing, except such as refer to expertness or physical qualities, and except as herein otherwise provided.”

*Resolved*, That this board recommend to the mayor that the first sentence of Regulation 46 be amended so as to read as follows :

“ No person on the eligible list shall be certified more than three times to the same appointing officer for the same bureau or institution except at his request, nor shall the name of any person remain on the eligible list for appointment or promotion more than one year from the date it is entered on such list.”

*Resolved*, That this board recommend to the mayor that Regulation 8 be amended by striking out “ 60 ” at the end thereof, and substituting therefor “ 70.”

*Resolved*, That Regulation 14 be amended by inserting at the end of the third paragraph the following : “ Any applicant for positions in Schedule B or for professional positions receiving less than a minimum of 80 per cent shall not be placed upon the eligible list.”

ALBANY, N. Y., *April* 23, 1895.

The foregoing amendments to the New York City Civil Service Regulations, having been duly examined, are hereby approved by the New York Civil Service Commission.

Attest:

[L. s.]

CLARENCE B. ANGLE,

*Secretary.*

## Brooklyn Civil Service Regulations.

MAYOR'S OFFICE,  
BROOKLYN, N. Y., *April 13, 1895.*

I, Charles A. Schieren, mayor of the city of Brooklyn, do hereby, in pursuance of the provisions of chapter 354 of the Laws of the State of New York of 1883 and of the acts amendatory and supplementary thereof, hereby prescribe and make the following amendments of the Civil Service Regulations of the City of Brooklyn, the same to take effect upon their approval by the Civil Service Commission of the State.

CHARLES A. SCHIEREN.

### Appendix E.—Classification of Positions in Schedule B for the Purpose of Examination.

Strike out Class 18 — Levelers and rodmen :

Grade A — Five rodmen, engineers' bureau, D. C. W., \$1,000 or less.

Grade B — Two levelers, same bureau, over \$1,000, but less than \$1,600.

And insert in lieu thereof the following :

Class 18 — Rodmen, chainmen, transitmen, levelers and assistant civil engineers.

Grade A — Rodmen and chainmen, engineers' bureau, D. C. W., \$1,000 or less.

Grade B — Transitmen and levelers, D. C. W., \$1,200 or less.

Grade C — Assistant civil engineers, \$1,500 or less.

Grade D — Assistant civil engineers, above \$1,500.

Strike out the following class :

Class 39 — Chainmen.

Grade A — Three chainmen, bureau of engineers, D. C. W., \$950 or less.

In Class 32, steam and machine engineers, oilers and firemen, strike out the words "and firemen," and make the heading read :

"Class 32 — Oilers, steam and machine engineers."

Strike out the entire class and insert in lieu thereof the following :

Grade A — Engineers and oilers, engineers' bureau, D. C. W., over \$750, but less than \$1,000.

Grade B — One engineer in charge of engine, repair shop, fire department.

One engineer at well, park department.

Eight assistant engineers at pumping stations, engineers' bureau, D. C. W.

One yard engineer, department of extension, same department, \$1,100 or less.

Grade C — Five engineers, pumping stations, engineers' bureau, D. C. W.

One assistant engineer at Mount Prospect engine house, same bureau.

Eleven assistant engineers, running Ridgewood engine, same bureau.

Three inspectors steam boilers, police department, \$1,100 or more but not exceeding \$1,400.

Grade D — One engineer, Mount Prospect engine house, engineers, bureau, D. C. W.

One assistant engineer, engine at Ridgewood, same bureau, \$1,100 or more, but not over \$1,800.

Grade E — One chief engineer in charge of Ridgewood engines, \$2,500.

Insert a new class :

Class 39 — Boiler firemen.

Grade A — Boiler firemen, engineers' bureau, D. C. W., \$1,000 or less.

MAYOR'S OFFICE,  
BROOKLYN, N. Y., *April 27, 1895.* }

I, Charles A. Schieren, mayor of the city of Brooklyn, do hereby, in pursuance of the provisions of chapter 354 of the Laws of the State of New York of 1883, and of the acts amendatory thereof and supplementary thereto, prescribe and make the following amendment of and addition to the Civil Service Regulations of the city of Brooklyn, the same to take effect upon the approval thereof by the Civil Service Commission of the State of New York.

CHARLES A. SCHIEREN.



*Regulation IV.*

This regulation is hereby amended so that the whole regulation shall read as follows :

For the purpose of conducting the inquiries and making the examinations mentioned in section 8 of the said law as amended, the mayor shall employ seven suitable persons, citizens of Brooklyn, who shall constitute the Civil Service Commission of Brooklyn (hereinafter for brevity also called "the commission"), and each member of which shall be known as a Civil Service Commissioner of Brooklyn.

Not more than four of the commissioners shall belong to the same political party, and no one of them shall be otherwise in the employ of the city. Each commissioner shall, before entering upon the discharge of his duties, take and file with the city clerk an oath, in the general form prescribed for other city officers. The mayor may, at any time, by filing with the city clerk a written notification of the change, employ another citizen in place of any one so employed, who shall thereupon cease to be such commissioner. The commissioners shall serve without pay.

The commissioners shall from their number choose a chairman to act during their pleasure; and they may, from time to time designate committees from their own number to conduct any of the various examinations and classes of examinations. In the examination of candidates for positions in the fire and police departments the chief engineer or the assistant engineer shall, upon the request of the commission, constitute part of the examining board for the fire department, and the superintendent or inspector of police a part for that of the police department. The schedule of rating of the candidates and the certificate or certificates upon each examination, and of recommendation, shall be signed by the chairman of the commission. During the absence or inability to act of the chairman, a temporary chairman, chosen by the commission from their own number, may, in all respects, act as chairman.

The commission may appoint and employ a secretary, an assistant secretary, a stenographer and typewriter, and such clerks and assistants as said commission may consider necessary, and may fix the salaries or compensation of the persons so appointed and employed; and said commission may also appoint and employ assistant examiners or experts, and may fix the compensation to be paid to them for their services, and may otherwise incur expenses not to exceed in the aggregate the amount which may have been appropriated for the expenses of said commission.

It shall be the duty of the commission to conduct all examinations held under these regulations, and to ascertain the fitness of candidates for the service of the city in respect to character, knowledge and ability for the branch of the service into which they seek to enter, and to estimate and determine the relative excellence or standing of the persons examined, and to certify the same as herein prescribed.

The secretary of the commission shall under the direction of the commission, keep minutes of their proceedings, and all necessary records of applicants, their examinations and standings, and a complete record of all persons employed in the several departments to which these rules apply, and of all appointments, promotions, dismissals, resignations and changes of any sort therein. When not in attendance upon the commission, the secretary will act under the direction of the mayor. All official action taken by the mayor under these regulations shall be recorded in writing under his own signature and shall be filed among the papers of the commission.

Add a new and additional regulation as follows :

*Regulation XLV.*

Appointments coming within schedule D shall be made as follows :

From and after the date of the adoption of this regulation, all persons applying for such appointments shall be registered or enrolled on eligible lists, to be made and kept by the commission for that purpose. No person shall be so registered or enrolled unless he shall be found by the commission to be physically qualified, and unless he shall make written application, in such form as the commission shall determine, for such registration or enrollment, endorsed by two reputable citizens of Brooklyn. No person shall be so registered or enrolled who is not a resident of Brooklyn at the time of his application, unless the commission shall determine that the good of the public service otherwise requires, and upon such determination at any time and from time to time, persons who are not residents of Brooklyn may be registered and enrolled upon any list or lists designated by the commission, and upon such conditions and terms as the commission may prescribe. From and after the adoption of this regulation no appointment to positions under schedule D shall be made except from the said lists. Upon receiving a requisition from any head of department, the commission shall certify from said lists double the number of names called for, and the said officer shall select the number required from the number so certified, and report to the commission the names selected. Any names not so selected, shall remain upon said



lists, and any names so selected shall, upon the termination of the employment, be restored to said lists, in the order in which they originally stood thereon, unless the head of the department shall certify in writing that such person is disqualified for cause stated. In making such certification the commission shall certify in the order of registration or enrollment, first, veterans with families; second, other veterans; third, men with families; fourth, other men. The same name shall not be certified to the same official more than twice in any one calendar year unless at the request of such official. In making said lists the commission shall subdivide them so that applicants for general or any particular kind of labor shall be registered or enrolled under separate subdivisions or lists, but no person shall be enrolled on more than two separate lists or subdivisions unless the commission shall otherwise direct.

Any head of department making a requisition shall state the particular kind of labor to be done, and the names shall be certified, in the order named above, from the subdivision covering such particular kind of labor. If there be no subdivision covering such particular kind of labor, or if the names in such subdivision be exhausted, the names shall, except as may be otherwise provided by the commission, be so certified from the subdivision covering general labor, unless the head of department making the requisition shall designate some other subdivision and there shall be names enough thereon to comply with the requisition, and in such case the certification shall be made from such subdivision.

All women applying for positions under Schedule D shall be registered and enrolled on a separate list, and upon the requisition of a head of a department their names shall be certified, as in the case of men, in the order of enrollment, first, widows with families; second, single women, including widows without families; third, married women.

The lists above provided for shall remain in force for one year, but all persons thereon shall, upon making written application therefor, be placed on the lists for the succeeding year in the order of their enrollment or registration on the previous lists.

The said commission may, in its discretion, upon the request of any appointing officer certify only such persons as are under or over an age to be specified by such officer in his requisition.

The said commission may, if it deems it desirable, at any time, provide for dividing the city into districts, and for making separate lists of laborers residing in each of such districts, and may also pro-



vide the manner in which requisitions for laborers may be made from the said lists. Said commission may also, at any time in its discretion, consolidate such lists, or any of them, into one or more lists. The commission may, in its discretion, adopt any list or portion of any list of laborers in existence in any of the city departments on the date of the adoption of this regulation, and it may also, in its discretion, make up a list or lists from the persons on several such lists in such manner as said commission may think best.

The said commission may, from time to time, prescribe such rules as it may think desirable or convenient for carrying out the intention of this regulation and may, in its discretion, provide for the temporary employment of persons not on a list in case of the exhaustion of any list or lists and for such other matters or things pertaining to the administration of this regulation as said commission may, from time to time, find proper.

ALBANY, N. Y., *June 5, 1895.*

The foregoing amendments to the Civil Service regulations for the city of Brooklyn, having been duly examined, are hereby approved by the New York Civil Service Commission.

Attest: CLARENCE B. ANGLE,

[L. s.]

*Secretary.*

POLICE DEPARTMENT OF THE CITY OF NEW YORK, }  
300 MULBERRY STREET, }  
NEW YORK, *July 29, 1895.* }

At a meeting of the board of police, held this day, it was

*Resolved*, That the following regulations be adopted relative to promotions and appointments :

*Promotions.*

Hereafter the commissioners shall select from the officers of one grade those whom they consider best fit for promotion into the grade above, and shall arrange the names of these men on a list. So far as practicable the commissioners shall draw up these lists so as to contain the names of the men who have done special service at the risk of their lives in saving life, in protecting life and property, in putting down disorder, and in arresting dangerous criminals. They shall also pay full heed to the efficient performance of duty, even where it has not been possible for an officer to do any deed of special heroism or note.

The list of names thus obtained shall be called the "Merit List"

and all promotions shall be made from it ; but before any man is promoted he shall be put through a non-competitive examination by the Civil Service Board to test his mental qualifications.

Prior to making an appointment the man shall be assigned to duty as acting sergeant, acting captain, acting inspector, or acting chief, as the case may be, for a period of six months, so that during this period his qualifications can be tested by actual work in the position which he hopes to fill. In the case of roundsmen the assignment shall be but for one month.

All regulations inconsistent with these are hereby repealed.

#### *Appointments.*

In making appointments from the eligible register, the three highest names shall be certified for each vacancy.

The name of an eligible shall be dropped from the list after he has been certified three times without being chosen on any certification.

All regulations inconsistent with these are hereby repealed.

ALBANY, *July* 30, 1895.

The foregoing amendments to the Civil Service regulations for the police department of the city of New York, having been duly examined are hereby approved by the New York Civil Service Commission.

Attest: CLARENCE B. ANGLE,

[L. S.]

*Secretary.*

#### **Brooklyn Civil Service Regulations.**

I, Charles A. Schieren, mayor of the city of Brooklyn, do hereby, in pursuance of the provisions of chapter 354 of the Laws of the State of New York of 1883, and of the acts amendatory and supplementary thereof, prescribe and make the following amendments of the Civil Service regulations of the city of Brooklyn, the same to take effect upon their approval by the Civil Service Commission of the State.

#### APPENDIX B.

##### *Positions in Schedule A.*

Under heading "Mayor's Office," strike out the words and figure  
One temporary clerk.

Under heading "Department of Collection," strike out the words  
and figure  
Mail clerk.

Assistant mail clerk.

Refund clerk.

Two stamp clerks.

Under heading "Department of Assessment," strike out the words  
Personal property clerk.

Under heading "Department of Police and Excise," strike out the  
words

Accountant.

Property clerk.

Confidential clerk (excise department).

Superintendent of steam boilers.

Detectives.

One searcher of female prisoners.

Under heading "Department of Health," strike out the words  
Experts.

Experts, bureau of contagious diseases.

Under heading "Department of Fire," strike out the words  
Captain of fire boat.

Janitrix.

Under heading "Department of City Works, Sub-heading, Commis-  
sioner's Office," strike out the words

Assistant secretary.

Record and chief clerk.

After the words "Clerk to Commissioner on line of Water Works  
and Extension," strike out all except the words "Clerk to Com-  
missioner."

Under sub-heading "Engineer's Bureau," strike out the words and  
figures

Chief clerk.

Engineer street repairs.

Six second assistant engineers.

Two first assistant engineers.

Under sub-heading "Bureau of Extension and Distribution," strike  
out the words

Chief clerk.

Under sub-heading "Bureau of Local Improvements," strike out  
the words

Engineer local improvements.

Assistant engineer local improvements.



Under sub-heading "Bureau of Sewers," strike out the words and figure

One chief clerk.

Under sub-heading "Bureau of Streets," strike out the figure and words

One test inspector of street lighting.

Under sub-heading "Bureau of Supplies," strike out the words and figures

One superintendent.

One assistant superintendent.

Under heading "Department of Parks," strike out the words and figures

One superintendent of parks.

One chief clerk and paymaster.

One assistant paymaster.

Labor and property clerk.

Under heading "Board of Elections," strike out the word  
Clerks.

Under heading "Board of Examining Plumbers," strike out the word

Clerk.

#### APPENDIX B.

##### *Positions in Schedule A.*

Under heading "Department of City Works," sub-heading "Engineer's Bureau," insert the words

Engineer of sewer construction.

Under heading "Board of Elections," insert the words and figures

Two chief clerks.

Two assistant clerks.

#### APPENDIX C.

##### *Positions in Schedule B.*

Under heading "Mayor's Office," insert the word and figure

One clerk.

Under heading "Department of Collection," insert the following words:

Mail clerk.

Assistant mail clerk.

Refund clerk.

Stamp clerks.

Under heading "Department of assessment," insert the words  
Personal property clerk.

Under heading "Department of Police and Excise," between the words and figures "1 Deputy Clerk," and "1 Superintendent's Clerk," insert the following:

Accountant.

Property clerk.

Confidential clerk (excise department).

Superintendent of steam boilers.

Between the words "Captains" and "Sergeants," insert the words  
Detective sergeants.

After the words "Bridge-keepers," insert the words and figure  
One searcher female prisoners.

Under heading "Department of Health," insert the words  
Experts, bureau of contagious diseases.

Under heading "Department of Fire," after the words "Assistant Inspectors," insert the words "Captain of Fire Boats," and after the words "Bell Ringers" insert the word "Janitrix."

Under heading "Department of City Works," sub-heading "Commissioner's Office," insert

Clerk of the market.

Record and chief clerk.

One test inspector of street lighting.

Under sub-heading "Engineer's Bureau," insert the words  
Engineer street repairs.

Assistant engineers.

Under sub-heading "Bureau of Extension and Distribution," insert the words

Chief clerk.

Under sub-heading "Bureau of Sewers," insert the words  
Chief clerk.

Under sub-heading "Bureau of Local Improvements," insert the words

Engineer of local improvements.

Assistant engineer of local improvements.

Under sub-heading "Bureau of Supplies," insert the words  
Superintendent.

Chief clerk.

Under heading of "Department of Parks," insert the words  
General superintendent.

Chief clerk and paymaster.

Assistant paymaster.

Labor and property clerk.

At the end of Appendix C, insert heading "Board of Elections" and words "All clerks, except 2 Chief Clerks and 2 Assistant Clerks."

Insert heading "Board of Examining Plumbers" and word clerk.

CHARLES A. SCHIEREN,

*Mayor.*

ALBANY, *October 9, 1895.*

The foregoing amendments to the Civil Service Regulations for the city of Brooklyn, having been duly examined are hereby approved by the New York Civil Service Commission.

Attest: CLARENCE B. ANGLE,

[L. s.]

*Secretary.*

### New York City Civil Service Regulations.

At a meeting of the Civil Service Commissioners held September 10, 1895, it was

*Resolved*, That this board recommend to the mayor that the fifth paragraph of Regulation 54 be amended so that the same shall read as follows: "Promotions shall be made by successive grades. In case of a vacancy in any position it shall be filled by a selection from the next inferior grade subject to any rule of the department as to length of previous service therein. It shall be the duty of the department in which a vacancy occurs to notify all persons having had the requisite term of service in the next inferior grade, and if there be no such person or persons, then all persons having had the requisite term of service in the next inferior grade, and so on until all the inferior grades are exhausted, if necessary, that there will be a competitive examination for promotion."

ALBANY, *October 9, 1895.*

The foregoing amendment to the Civil Service Regulations for New York city, having been duly examined, is hereby approved by the New York Civil Service Commission.

Attest:

CLARENCE B. ANGLE,

[L. s.]

*Secretary.*



## Brooklyn Civil Service Regulations.

MAYOR'S OFFICE,  
BROOKLYN, N. Y., *December 10, 1895.* }

I, Charles A. Schieren, mayor of the city of Brooklyn, do hereby, in pursuance of the provisions of chapter 354 of the Laws of the State of New York of 1883, and the acts amendatory and supplementary thereof, prescribe and make the following amendments to the Civil Service Regulations of the city of Brooklyn, the same to take effect upon their approval by the Civil Service Commission of the State.

### APPENDIX B.

#### *Positions in Schedule A.*

Under heading "Department of Audit" strike out the words "chief clerk."

### APPENDIX C.

#### *Positions in Schedule B.*

Under heading "Department of Audit" before the word "clerks" insert the words "chief clerk."

CHARLES A. SCHIEREN,  
*Mayor.*

ALBANY, *December 31, 1895.*

The foregoing amendments to Civil Service Regulations for the city of Brooklyn, having been duly examined, are hereby approved by the New York Civil Service Commission.

Attest: CLARENCE B. ANGLE,  
*Secretary.*

[L. S.]

## New York City Civil Service Regulations.

At a meeting of the Civil Service Commissioners of this city held December 10, 1895, it was

*Resolved*, That this board recommend to the mayor that Civil Service Regulation 40 be amended by the insertion after the word "misconduct" in the first line of the first paragraph thereof the words "or who shall have been stricken from an eligible list in any schedule on account of defects of character."

ALBANY, *December 31, 1895.*

The foregoing amendment to Civil Service Regulation 40 for the city of New York, having been duly examined, is hereby approved by the New York Civil Service Commission.

Attest: CLARENCE B. ANGLE,  
*Secretary.*

[L. S.]

**Regulations Police Department, New York City.**

1. Promotions of officers and members of the police force shall be made by the board of police on grounds of "seniority, meritorious police service and superior capacity."

2. Promotions shall be made as follows:

Sergeants of police shall be selected from patrolmen assigned to duty as roundsmen; captains from among the sergeants; inspectors from among the captains; deputy chief of police from among the inspectors and captains; chief of police from among deputy chief, inspectors and captains.

3. All promotions shall be made from eligible lists for each grade, prepared at such times as the board of police shall direct.

4. Eligible lists shall contain the names of those candidates who have obtained a rating of 75 or over, out of a maximum of 100.

The maximum shall consist of the following elements: Meritorious police service and seniority, 65; superior capacity, 35; total, 100.

5. The rating for meritorious police service and seniority shall be determined by the board of police, and shall be based upon past records for integrity, efficiency and zeal in the department, ability and success as commanding officers, intelligence and discretion in the performance of duty, personal character and standing as private citizens, special gallant or commendable service, involving hazard or danger, the successful detection and punishment of criminals, reports of superior officers, length of service in the department, and, in general, a full and complete consideration of the officer's record in the department, giving in all cases, where other considerations are equal, the advantage to seniority.

6. The rating for superior capacity shall be determined by a competitive examination, held under the direction of the police board. This examination shall be practical in its character, and consist of a careful investigation as to the candidate's knowledge of the laws of the State of New York in regard to the suppression of crime, preservation of the peace, the apprehension of criminals, and practice in the minor courts; the ordinances of the city, minor military tactics, rules and regulations of the department and such other practical subjects as may be added from time to time by order of the board of police.

ALBANY, *December 31, 1895.*

The foregoing amendments to the Civil Service Regulations for the police department of the city of New York, having been duly examined, are hereby approved by the New York Civil Service Commission.

Attest:

CLARENCE B. ANGLE,

[L. s.]

*Secretary.*

# Proposed Amendments to City Regulations Disapproved.

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## *Civil Service Regulations of the City of Yonkers. Regulation IV.*

Amended by adding thereto the following: "No employe of the city of Yonkers, or any department thereof, whose duty requires him to receive or handle moneys received for that city or department thereof, of whom a bond is required for the faithful performance of his duty, shall be required to pass a civil service examination."

Disapproved March 19, 1895.

## *Regulation IV.*

Schedule A amended so as to read as follows: "Schedule A shall include the following officers of the city: All officers appointed by the mayor; all officers nominated by the mayor and confirmed by the common council; all officers appointed by the common council, and all officers appointed by the city judge."

Disapproved July 30, 1895.

## *Civil Service Regulations of the City of Elmira.*

### *Regulation XXIII.*

Amended by striking out the following, being the entire regulation: "No one dismissed from the service for misconduct shall be admitted to examination for appointment in any capacity in any department of the municipal service within two years from the date of such dismissal."

Disapproved November 12, 1895.



# Civil Service Regulations of the City of Jamestown.

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Examiners : Austin H. Stafford, chairman ; Dwight Perrin, secretary ; George C. Van Dusen, chief examiner.

Pursuant to the statutes of this State, to regulate and improve the Civil Service thereof, I, Eleazer Green, mayor of the city of Jamestown, hereby prescribe the following regulations for the admission of persons into the public service of the city of Jamestown, to take effect from the date of their approval by the New York Civil Service Commission :

## *Regulation I.*

These regulations shall apply to all positions in the public service of the city of Jamestown, with the following exceptions required by the statutes, namely :

*First* Officers elected by the people, viz : Mayor, aldermen, supervisors, overseer of the poor, board of excise, police justice, justices of the peace, constables, game constables, assessors, sealer of weights and measures.

*Second.* The head or heads of any department of the city government, viz. :

1. Officers appointed by the mayor : City attorney, superintendent of streets, board of health, city treasurer, chief of police, board of public works, city engineer, chief of the fire department, fire warden.

## *Regulation II.*

No person in the public service is for that reason under any obligation to contribute to any political fund or purpose, or to render any political service, and no person shall be removed or otherwise prejudiced for refusing so to do.

## *Regulation III.*

No person in the public service has the right to use his official authority or influence to coerce the political action of any person or body.

*Regulation IV.*

The Civil Service of the city of Jamestown shall be classified as follows:

*Schedule A.*

Shall include all deputies of officers and commissioners duly authorized by law to act for their principals, and all persons whose official relations are necessarily strictly confidential to the head of the office in which they serve: The city clerk.

*Schedule B.*

Shall include all clerks, copyists, recorders, stenographers, bookkeepers and others rendering clerical services and not included in Schedule A, and all policemen and all persons employed or appointed in the public service, and not specially included in Schedules A, C and D.

*Schedule C.*

Shall include all persons whose duties are strictly professional and all persons who are employed in private business and occasionally render public service for a nominal compensation: Chief engineer, fire department; first assistant engineer, fire department; fire wardens, superintendent of fire alarm, clerk of the board of excise, city physician, sealer of weights and measures, sanitary inspector, city surveyor.

*Schedule D.*

Shall include all persons employed as laborers or day workmen.

*Regulation V.*

The appointments to positions comprised in Schedule A may be made without examination under these regulations, but such examinations may be had upon the request of the appointing officer. Appointing officers must notify the mayor in writing of all appointments to such positions within five days after the same are made, setting forth the full name of such appointee, date and place of birth, length of residence in Jamestown, nature of previous employment, whether he has ever been in official service before, and if so, when and where, date of beginning of service and term for which appointed, salary, name of person in whose place appointed; the same to be duly certified by the appointing officer.

*Regulation VI.*

Appointments shall be made or employment shall be given in the positions in Schedule B by selection from those persons graded



highest as the results of open competitive examinations, *provided* that vacancies in the higher positions in this schedule may be filled by the promotion of those holding lower positions in the office, department or institution where such vacancies occur, and who have passed an examination under these regulations. The competitive examinations shall be practical in their character, and with a paramount regard to those matters which will fairly test the relative capacity and fitness of the persons examined for the service which they seek to enter. Applications of competitors for positions included in Schedule B must be addressed to the Secretary of the Civil Service Examining Board, Jamestown, N. Y., and the applicant must state therein, on oath, and in his own handwriting,

1. His full name, residence, giving street and street number.
2. His term of residence in the city.
3. His citizenship.
4. His date of birth.
5. His place of birth.
6. His previous employment in the public service, if any.
7. His business or employment for the last preceding five years.
8. The extent, place and nature of his education.
9. If in the military or naval service of the United States in the late war, give name of organization or vessel to which attached, date of enlistment or commission, position or rank, date and cause of discharge from the service, and any physical disability incurred in such service.
10. Such other information may be furnished as the mayor may reasonably require, touching the applicant's fitness for the public service.

The application must be accompanied by a certificate of a practicing physician of good repute, that he has examined the applicant and found him free from any physical defect or disease that would be likely to interfere with the proper discharge of his duties in the position in the Civil Service sought by such applicant, and by the certificate of not less than three nor more than five reputable citizens of the city, that they have been personally acquainted with the applicant for at least one year, and believe him to be of good moral character, of temperate and industrious habits, and in all respects fit for the service which he wishes to enter, and that they are willing that such certificate shall be published for public information, and will, upon application, give such further testimonials in regard to such applicant as may be required. The applicant must also state in his application the position he seeks.



*Regulation VII.*

Defective applications will be suspended, and applicants notified to amend the same ; but no such notice will be given or opportunity granted a second time. The date of the reception of all applications shall be endorsed thereon and entered of record, and if the applicants for admission are in excess of the number that can be examined at a single examination, they will be notified to appear in their order on the respective records.

*Regulation VIII.*

For the purpose of ascertaining the qualifications of persons seeking or named for positions in the departments and offices of the municipal government, to which these regulations apply, there shall be a board of examiners, composed of three citizens of the city of Jamestown, designated by the mayor, and not more than two of whom shall belong to the same political party. The mayor may at any time substitute another citizen in the place of any one so designated, by filing with the city clerk a written notification of such change, and will detail or employ a clerk who shall act as the secretary of the examining board. It shall be the duty of such board of examiners to conduct all examinations called for under these regulations, to ascertain the fitness of candidates for the service of the city, in respect to character, knowledge and ability for the branch of the service into which they seek to enter, and to estimate and determine the relative excellence or standing of the persons examined, and to certify the same in such manner and form as may be prescribed. Whenever the special qualifications required for a position are of an expert or professional character, the mayor will give to the examining board such advice and assistance from competent sources as may be expedient and available. The secretary of the board shall keep the minutes of its proceedings and all necessary records of applicants, their examinations and standings, and a complete record of all persons employed in the several departments to which these rules apply, and of all appointments, promotions, dismissals, resignations and changes of any sort therein. When not in attendance upon the examining board, the secretary will act under the direction of the mayor.

*Regulation IX.*

Whenever the demands of the service may require, the examining board will notify the applicants on record, or such number thereof as can be examined conveniently at one time, to appear for examination, giving place, date and hour for such examination.

*Regulation X.*

Under the direction of the mayor, the board of examiners will prepare lists of subjects of examination for admission to the several positions in Schedule B, and such lists shall comprise obligatory subjects upon which each applicant must be examined; to such lists of obligatory subjects there may be added certain other subjects in which the applicant may be examined or not, at his option. The general standing of each applicant shall depend solely upon his relative proficiency in the obligatory subjects; for the purpose of determining the general average standing, certain relative weights will be given the obligatory subjects, which weight shall be adjusted to the relative importance of the subjects.

*Regulation XI.*

No person whose standing on any obligatory subject is less than fifty, or whose ascertained average standing on all the obligatory subjects is less than seventy, will be entered upon the eligible list.

*Regulation XII.*

The names of the persons who have passed above the minimum as set forth in the previous regulation, will be entered upon a register in the order of their excellence, and opposite each name will be entered the standing of such person in each optional subject in which he may have been examined.

*Regulation XIII.*

1. Whenever any officer having the power of appointment to or employment in any position in Schedule B shall so request, the board of examiners shall certify to him the names of three eligible persons who are graded highest on the proper register, indicating such of them, if any, as have been honorably discharged from the military or naval service of the United States in the late war.

2. From the three persons whose names are so certified, the officer shall make a selection to fill the vacant place, subject, however to the provisions of law, giving preference to persons who have been honorably discharged from the military or naval service of the United States during the war.

3. Whenever such request shall indicate that proficiency in any of the specified optional subjects is of prime importance in the position to be filled, the board of examiners will certify the names of the three persons on the eligible list having the highest standing, not below the minimum of seventy, in such optional subject. The mayor shall



have power to order a new or special examination whenever there are no persons on the eligible list sufficiently qualified in such optional subjects.

4. In the selection from the persons whose names are certified as above, the appointing or employing officer, upon his written requisition therefor, will be furnished with the application and examination papers of all the persons so certified and in the exercise of his responsible power of selection, he may summon personally before him the certified persons, for such verbal inquiry as he may deem proper. All papers furnished upon requisition as above, must be returned to the secretary of the examining board.

#### *Regulation XIV.*

Whenever physical qualifications are of prime importance to the proper discharge of the duties in any position, applicants must pass an additional examination as to their physical condition and capacity, and be certified as qualified in such respects before recorded on the proper eligible list for selection for the position, or before certification by the board of examiners as qualified for such selection.

#### *Regulation XV.*

1. No person on any register shall be certified more than three times to the same officer, except upon the request of such officer, nor shall any remain eligible more than two years on any register.

2. Upon satisfactory evidence produced to the mayor that any person whose name is on any eligible list is, by reason of character, habits or past reputation, unfit for admission to the public service, the name of such person shall be formally stricken from such eligible list.

3. No person who has entered upon any examination for a position in Schedule B or Schedule C shall be admitted within one year from the date thereof to a new examination for the same grade of position.

#### *Regulation XVI.*

The positions in Schedule C may be filled by the appointing officer, in his discretion, in respect to the method of examination; the direction of the officer in such cases shall be limited as follows:

1. He may select from the three persons graded highest as the result of an open competitive examination; or

2. He may name to the examining board three or more persons for competitive examination, and appoint the one graded highest in such examination; or



3. He may appoint or employ any person named by him who, upon a non-competitive examination, shall be duly certified by the examining board as qualified to discharge the duties of the position.

#### *Regulation XVII.*

Upon the non-competitive examination into the qualifications of a person named to the examining board for a position in this schedule, it will give a certificate to such person only when satisfied (1st) that he is within the limits of age prescribed for the position or employment to which he has been named ; (2d) that he is properly certified as free from any physical defect or disease which is likely to interfere with the proper discharge of his duties ; (3d) that his character is such as to qualify him for such position or employment ; and (4th) that he possesses the requisite knowledge and ability to enter on the discharge of his official duties. An officer naming to the examining board a person for examination will at the same time transmit his certificate, that after due inquiry he is satisfied that the character and habits of the person named fit him for the public service, and will append to the certificate such formal vouchers or credentials as to character as he may desire to have considered or to put on file. In the determination of the character or habits of the nominee, the certificate thereof by the nominating officer will be considered as essential.

#### *Regulation XVIII.*

Whenever a vacancy in this schedule in any department, office, or institution is to be filled, the officer having the authority to fill the same shall notify the examining board which of the three methods, in his discretion, under Regulation XVI, he selects ; and if the choice be by an open competition, the examining board will proceed as for an examination under Schedule B ; but if the choice be by a limited competition, or by the appointment of a person to be duly certified by the examining board as qualified, the officer aforesaid shall name in such notification the person or persons to be examined, and the examining board shall notify the person or persons so named of the time, place and special regulations for the examination.

#### *Regulation XIX.*

As to appointments coming under Schedule D, no examination shall be required, but all changes in the employes shall be reported to the board of examiners, in order that the record of the Civil Service of the city may be at all times complete.

*Regulation XX.*

Every original appointment or employment in Schedules B and C shall be for a probationary term of two months, at the end of which time, if the conduct and capacity of the person shall have been found satisfactory, the probationer shall be absolutely appointed or employed, but otherwise his employment shall cease.

*Regulation XXI.*

Promotions will in all cases be based upon the positive merit of the person promoted and upon his superior qualifications as shown by his previous service.

*Regulation XXII.*

No temporary appointment shall be made of any one not eligible for permanent appointment. In case where the mayor is authorized by law to make special appointments for an exigency, he may, if there shall be no eligible list from which he can select, make such appointments without examination for not exceeding two days.

*Regulation XXIII.*

Transfers of clerks and others included in Schedules B and C may be made from one office or department to another, by the mutual consent of the heads of such offices or departments; every such transfer must be reported to the examining board for record, within five days from the date thereof. No transfer will be permitted from a position enumerated in Schedule B to a position in Schedule C, or from a position enumerated in Schedule C to a position in Schedule B.

*Regulation XXIV.*

No question in any examination or proceeding shall call for the expression or disclosure of any partisan political opinion or affiliation of any person whatever, nor shall any discrimination be made by reason thereof; and the examiners shall discountenance all disclosure before them of such partisan opinion or affiliation by or concerning any applicant for examination, or by or concerning any person on any register awaiting appointment or employment. In the selection, nomination or appointment of persons to fill positions in Schedules B, C and D no regard shall be paid to the partisan political opinions, affiliation or action of any person so selected, nominated, appointed or promoted.



*Regulation XXV.*

Every false statement knowingly made by any person in his application for examination, and every connivance by him at any false statement made in any certificate which may accompany his application, or any willful complicity by him in any fraud to improve his standing upon his examination, shall be regarded as good cause for removal or discharge of such person during his probation.

*Regulation XXVI.*

Persons who have been honorably discharged from the army or navy of the United States in the late war, and whose qualifications and fitness have been ascertained under these rules, by competitive examination, shall be preferred for appointments to positions in the Civil Service of the State over all other persons, though graded lower than the others so examined, and the persons thus preferred shall not be disqualified from holding any position in the Civil Service on account of their age nor by reason of any physical disability, provided such age or disability does not render them incompetent to perform the duties of the position applied for.

When not more than three honorably discharged soldiers or sailors whose qualifications and fitness have been ascertained by competitive examination under the rules, shall be on the eligible list at the time a requisition shall be made for an appointment, the names of all such soldiers or sailors with a specification of their respective grades in such examination, shall be certified to the appointing officer, but when more than three names of such honorably discharged soldiers or sailors shall be on the eligible list, there shall be certified for such appointment not more than two names in excess of the number of places to be filled, and in all such cases the appointment shall be made from among those, not exceeding three in number, thus certified, who are graded highest as the result of competitive examination.

*Regulation XXVII.*

Subject only to the qualifications required to be ascertained in accordance with these regulations, the power of appointment and the responsibility of selection are in all cases in the appointing officer. The power to remove existing by law on the part of any officer is not impaired by any thing contained in these regulations.

*Regulation XXVIII.*

No one dismissed from the service for misconduct shall be admitted to examination for appointment in any capacity in any depart-



ment of the municipal service within two years from the date of such dismissal.

*Regulation XXIX.*

After these regulations shall take effect no person in the Civil Service of the city of Jamestown whose position is subject to the regulations, shall be entitled to compensation unless appointed pursuant to these regulations.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the City of Jamestown this 13th day of August, 1895.

[L. s.]

ELEAZER GREEN,

*Mayor.*

STATE OF NEW YORK :

OFFICE OF CIVIL SERVICE COMMISSION,

ALBANY, *August 27, 1895.* }

The following Civil Service regulations for the city of Jamestown, having been duly examined, are hereby approved by the New York Civil Service Commission.

THOMAS CARMODY,

[L. s.]

*Secretary pro tem.*

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## A P P E N D I X G.

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1. OPINIONS OF THE ATTORNEY-GENERAL — 1895.
2. DECISIONS OF THE SUPREME COURT AND COURT OF APPEALS —  
1895.





## Opinions of the Attorney-General --- 1895.

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CIVIL SERVICE.—Clerks in the staff departments of the National Guard of the State of New York are not subject to the laws and rules governing admission to the Civil Service of the State.

### STATE OF NEW YORK:

ATTORNEY-GENERAL'S OFFICE,

ALBANY, *March 27, 1895.* }

JOHN C. BIRDSEYE, Esq., *Secretary pro tem, Civil Service Commission, Capitol, Albany, N. Y.:*

DEAR SIR.—Your letter of the 23d instant, embodying a copy of the following resolution: “Resolved, That the Secretary be instructed to communicate with the Attorney-General and ask for his opinion as to whether the office of chief clerk in the department of the Inspector-General is a military office under the laws and Constitution of this State, and as such exempted from the application of the Civil Service Rule,” is at hand.

In reply, I have the honor to state that, in my judgment, such officer, as well as all other clerks in the staff departments of the National Guard of the State of New York, is not within the jurisdiction of the Civil Service Commission, or subject to the laws and rules governing admission into the Civil Service of the State. My reasons for such opinion may be briefly stated.

The Civil Service Commission of the State of New York is not possessed of common law jurisdiction or authority. Its entire powers are conferred by statute and must be limited to the scope of the statute.

The act under which your board is organized and from which it derives its powers and authority, is entitled “An act to regulate and improve the Civil Service of the State of New York.” Its application, therefore, must be confined to the *Civil Service*, as distinguished from the military service, unless a broader scope was intended by the Legislature, and manifested in the language of the act and its amendments.

A careful scrutiny of the original statute and the laws amendatory thereof and supplemental thereto, fails to disclose to me any such intention on the part of the Legislature, and I am constrained to the opinion that, unless the chief clerk in the Inspector-General's department and other clerks in that and other staff departments may be construed to be in the Civil Service of the State, those positions are not within the statute or constitutional provisions affecting appointments in the Civil Service.

The law under which clerks in the staff departments are appointed is known as the Military Code, and is entitled "An act in relation to the Militia, constituting chapter 17 of the General Laws." The particular provisions is contained in section 30, and reads as follows:

"Upon the recommendation of the chiefs of the staff departments, the Commader-in-Chief may appoint such assistants, of such grade, not above that of colonel, and such storekeepers and clerks, with such pay, as in his judgment may be necessary."

"Civil Service" is defined by Black, in his Law Dictionary, at page 208, as follows: "This term properly includes all functions under the government except military functions;" and that compiler refers to Wharton as his authority for that definition.

Bouvier, also, in his Law Dictionary, defines the word "civil" as having various significations. "3. \* \* \* It is also used in contradistinction to military or ecclesiastical, to natural or foreign; thus we speak of a civil station, as opposed to a military or ecclesiastical station \* \* \*."

It is thus apparent that those clerks are employed in the military department of the State government and not in the Civil Service; they are appointed from civil life to the performance of military duty, and inasmuch as the duty which is to be performed establishes the status of the appointee, I fail to see how clerks in the military departments can come under the operation of the laws affecting or regulating appointments to civil office.

I have the honor to be, very respectfully,

T. E. HANCOCK,  
*Attorney-General.*



ORDERLIES. ETC., IN DEPARTMENT OF PUBLIC BUILDINGS.—The provision of chapter 654 of the Laws of 1894, that orderlies and watchmen in the Department of Public Buildings shall be persons “who served in the Union army or navy during the late war, and have been honorably discharged therefrom, and such \* \* \* persons shall not be subject to Civil Service rules or examination,” is not abrogated by article 5, section 9 of the Revised Constitution of 1894. That section is not self-executory.

## STATE OF NEW YORK:

ATTORNEY-GENERAL'S OFFICE,  
ALBANY, *March 29, 1895.* }

Hon. CLARENCE B. ANGLE, *Secretary Civil Service Commission,*  
*Capitol, Albany, N. Y.:*

DEAR SIR.—We have received at this office a communication signed by yourself, reading as follows:

“I respectfully invite your attention to the following clause in chapter 654 of the Session Laws of 1894: ‘For the care, cleaning, labor, lights, salary of the Superintendent of Public Buildings, services of orderlies and watchmen, and all necessary expenses of the public buildings, pursuant to the provisions of chapter 227 of the Laws of 1893, \$200,000; provided that the orderlies and watchmen and persons employed in positions which, on March 1, 1886, were designated on the books of the Superintendent of Public Buildings as those of orderlies and watchmen, who shall receive any portion of the said sum of \$200,000 for their services, shall be persons who are citizens of the State of New York, and who served in the Union army or navy during the late war, and have been honorably discharged therefrom, and such honorably discharged persons shall not be subject to Civil Service rules of examination;’ and would request your opinion whether the same is consistent with the provisions of the Constitution relative to the Civil Service. These provisions declare that all appointments shall be for merit, to be ascertained by examination, when practicable, and only thereafter give preference to veterans. The Civil Service Commission believe that, under the Constitution, there can be no legal exemption other than those conferred by the provisions”

I have not heretofore deemed it necessary to assume the responsibility of interpreting the various new provisions of the revised Constitution, for the reason that this is more particularly the province of the courts, and for the additional reason that the Civil Service section of the revised Constitution evidently contemplates legislation to provide for the enforcement of that section. I am informed that there is now a bill before the Legislature, that will soon be acted upon, and which, if it is enacted, will to a considerable extent relieve the Civil



Service Commission from interpreting and construing the Constitution as far as it affects the status of veterans in the Civil Service.

I would myself prefer to await the action of the Legislature, but inasmuch as you desire my views, I will submit them to you for your consideration.

I assume that the delegates to the Constitutional Convention were aware of existing laws relating to the Civil Service, and they are presumed to have submitted the various sections of the revised Constitution to the vote of the people, having in mind the particular law to which you have called my attention, relating to employes upon public buildings. The language used in the Civil Service section of the revised Constitution is as follows: "Laws shall be made to provide for the enforcement of this section." I do not think that this means that laws have been made for its enforcement. The section, in my judgment, is not self-executory. It is not a statute, but a part of the fundamental law providing for legislative enactment, and having in view, as I have already stated, future legislation, which, as I am informed, is in fact now going on.

The Appropriation Act (chapter 654, Laws of 1894) expressly provides that the orderlies and watchmen who shall receive any portion of the appropriation for their services shall be persons who are citizens of the State of New York and who served in the Union army or navy during the late war and have been honorably discharged therefrom, and that such honorably discharged persons shall not be subject to Civil Service rules of examination.

I do not think that section 9 of article 5 of the Revised Constitution, *ipso facto*, changes the status of these persons and injects them into that class of individuals who are subject to Civil Service rules of examination.

Section 16 of article 1 of the Constitution provides: "Such acts of the Legislature of this State as are now in force shall be and continue the laws of this State, subject to such alterations as the Legislature shall make concerning the same; but all such parts of the common law, and such of the said acts or parts thereof as are repugnant to this Constitution, are hereby abrogated."

I am not prepared to lay down as a legal proposition that the act of the Legislature referred to in your communication is repugnant to the revised Constitution, or has been abrogated by the Civil Service section of that Constitution.

It is my opinion that the enactment of a law by the existing Legislature exempting employes who are honorably discharged soldiers

and sailors who are in the public buildings department from Civil Service rules of examination, would be constitutional. It would, in effect, be a declaration by the Legislature that their examination was impracticable, and the courts would not review that question.

People v. Bowen, 30 Barb., 39; 21 N. Y. 517.

How, then, can an existing law to that effect be abrogated?

I, therefore, conclude that the exemption specified in chapter 654 of the Laws of 1894 is still in force.

Very respectfully,

T. E. HANCOCK,

*Attorney-General.*

# Decisions of the Supreme Court and Court of Appeals—1895.

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THE PEOPLE OF THE STATE OF NEW YORK *ex rel.* WILLIAM H. EWELL  
*v.* JAMES A. ROBERTS, *Comptroller*.

Supreme Court — Ulster Special Term, January, 1895.

(10 Misc. Rep. 764.)

CERTIFICATION BY THE CIVIL SERVICE COMMISSION, WHEN NECESSARY.— Chapter 717, Laws of 1894, providing that the civil service rules shall not apply to the appointment in the classified state service of honorably discharged Union veterans where the compensation of the position does not exceed four dollars a day, does not deprive the civil service commissioners of the right, or relieve them from the duty, of certifying the fact of such appointment to the comptroller. When any such appointment is made, it is the duty of the appointing officer to notify the civil service commission, which is thereupon required to certify the fact to the comptroller, and until this be done the latter is forbidden to pay such appointee compensation for his services.

Application for a mandamus to compel the respondent to pay relator his salary as clerk in the office of the Secretary of State.

*Robert G. Scherer*, for relator.

*Myer Nussbaum* and *William E. Kisselburgh, Jr.*, Deputy Attorney-General, for defendant.

PARKER, J.: The Secretary of State, on the 11th day of June, 1894, appointed the relator, William H. Ewell, to a clerkship in the Secretary of State's office, at a salary of \$4 per day. At the time of such appointment Ewell was a resident of this State, having served in the army of the United States during the late war, from which he had been honorably discharged, and was, therefore, eligible to the position to which he was appointed pursuant to the provisions of chapter 717, Laws of 1894. It is, indeed, conceded that the action of the Secretary of State in making the appointment was in all respects lawful and proper, and that, by virtue of the appointment, the relator became entitled to receive from the State compensation at the rate of \$4 per day, payable monthly, the Comptroller's refusal to pay being based wholly upon his understanding that the statutes



require that before he may draw his warrant for compensation he must have a certificate of the Civil Service Commission of the legality of the appointment of every person in the classified service of this State, and that the relator is within the classified service.

In other words, his contention is, that while the statute authorizes the appointment in the State service of persons in a like situation with the relator, without reference to the Civil Service rules and laws of this State, that such appointment must, nevertheless, be evidenced to the Comptroller by a certificate of the Civil Service Commission. That before the Comptroller can make any payment whatever to a person purporting to be in the employ of the State, the Comptroller must be informed of the fact through the channel and in the manner provided by law.

The provisions of the act of 1894 bearing upon this question read as follows:

“ But the civil service rules and laws of this state shall not apply to such persons residents of this state who served in the army or navy of the United States in the late war, and have been honorably discharged therefrom, for any position or employment, the compensation of which does not exceed four dollars a day, in the public departments and upon all public works of the state of New York, and of the several cities, counties, towns and villages thereof.”

It will be observed that this provision does not suggest the manner in which the Comptroller shall be informed of an appointment made under it, but does provide that so far as the appointment to a position or employment, the compensation of which does not exceed four dollars per day, the Civil Service rules and laws of this State shall not apply.

The error into which the relator had fallen seems to me to have been founded upon a construction of the provision which gives to it the effect not only of taking the appointment of persons situated like himself from under the Civil Service rules and laws of the State, but also of depriving the Civil Service Commissioners of the right, and to relieve them from the duty, of making certificates for the use of the Comptroller of the appointment of every person in the classified service of the State, which includes relator's position, as provided by section 7, chapter 354, Laws of 1883, as amended by chapter 681 of the Laws of 1894. These statutes provide for a body, known as the Civil Service Commission, which is given exclusive control and authority with reference to the classification of all positions in the State service, competitive or non-competitive, exempted or otherwise.

And it is further made the duty of the Commission to keep in its office a complete list of all officers, clerks and other persons in the public service of the State in either of the classes appointed or employed, and to certify to the Comptroller every change occurring in any such office or employment forthwith on the occurrence of the change.

Further, the Comptroller is forbidden to draw his warrant for the payment of any salary or compensation to any officer, clerk or other person in the public service of the State in either of said classes who is not so certified as having been appointed in pursuance of law and of the rules and regulations made in pursuance of law. It is apparent that one of the purposes which the statute has in view is to keep the Comptroller's office accurately informed as to all persons in the classified service of the State entitled to compensation for services. If the statute under which the relator was appointed can be so construed as to make it no longer the duty of the Commission to certify to the employment of a person in the classified service, when appointed under the provisions of the statute exempting honorably discharged soldiers from the Civil Service rules and laws of this State, then the statutes would no longer provide for a complete and harmonious system governing the keeping of the record relating to those in the employment of the State under the classified service. But if the statutes be construed together, as I think they should be, then the entire scheme is consistent and harmonious.

A person, situated as this relator, may be appointed in the public service, where the compensation does not exceed four dollars per day, without reference to the Civil Service rules and laws.

And when the appointment is made, it becomes the duty of the appointing officer to inform the Civil Service Commission that the appointment was made in accordance with law. This being done, the statute enjoins upon the Civil Service Commission the duty of certifying the fact of such appointment to the Comptroller, whose duty it is thereafter to make payment to the appointee of his compensation as he shall become entitled to it.

This was not done and, therefore, the Comptroller had a right to insist upon the compliance with the statute. Relator's proper course was to have requested the Civil Service Commission to make necessary certification, and had the request been refused, it could thereafter have been enforced by mandamus.

The application for a writ of mandamus should be denied, but without costs.



Matter of the Application of GEORGE SWEELEY for a Writ of Mandamus.

Supreme Court — Albany Special Term, April, 1895.

(12 Misc. Rep., 175.)

CONSTITUTIONAL PROVISION, HOW FAR SELF-EXECUTORY.—While a provision of the Constitution may need legislation to enforce its principles and give them affirmative effect, yet such provision, without any legislation, may have a negative force in prohibiting acts in violation of its terms and nullifying statutes repugnant to its principles.

CHAPTER 717, LAWS OF 1894, ABROGATED BY THE NEW CONSTITUTION.—Chapter 717, Laws of 1894, which exempted honorably discharged soldiers and sailors from the operation of the Civil Service Law and from being examined to test their fitness for positions, the pay of which does not exceed four dollars per day, is in conflict with the provisions of section 9 of article 5 of the new Constitution and repugnant to its principles, and is, therefore, abrogated by it.

PRIOR LAW REVIVED.—By such abrogation of chapter 717 of the Laws of 1894, section 4 of chapter 410, Laws of 1884, as amended by chapter 29, Laws of 1886, is revived and again becomes a part of the law of the State.

APPLICANTS MUST BE EXAMINED.—An applicant for the position of policeman in the city of Albany, although he is an honorably discharged soldier of the late civil war, is subject to the Civil Service Law and must pass the examination required thereby.

Application for a mandamus directing the police commissioners of the city of Albany to administer to relator the oath of office as a patrolman of the police force, to issue to him his warrant of appointment as patrolman and assign him to duty.

*James W. Eaton*, for application.

*William P. Rudd*, corporation counsel, opposed.

SUPREME COURT — SPECIAL TERM.

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In the Matter of the Applica-	}
cation of GEORGE SWEELEY for	
a Writ of Mandamus.	

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*James W. Eaton*, attorney for application.

*William P. Rudd*, corporation counsel, in opposition.

HERRICK, J.—In 1883, the Legislature of the State of New York, by an act entitled “An act to regulate and improve the Civil Service of the State of New York” (chapter 354), provided for the appointment by the Governor of a commission, designated “Civil Service Commission,” consisting of three persons, whose duty it should be, amongst other things, to aid the Governor in preparing suitable rules to carry into effect the purposes of the act; which rules, amongst



other things, should provide "for open, competitive examinations for testing the fitness of applicants for the public service, now classified or to be classified hereunder."

By section 8 of said act, the mayor of each city of the State having a population of over 50,000 inhabitants, was authorized "to prescribe such regulations for the admission of persons in the Civil Service of such city as may promote the efficiency thereof, and ascertain the fitness of candidates in respect to character, knowledge and ability for the branch of the service into which they seek to enter."

Pursuant to such act of the Legislature, the mayor of the city of Albany, a city of over fifty thousand inhabitants, prepared rules and regulations for the admission of persons into the Civil Service of said city. And in and by such rules it was provided that patrolmen in the police force of said city should be appointed "by selection from those persons graded highest as the result of open, competitive examinations." The regulations so made by the mayor of the city of Albany were approved by the Civil Service Commission of the State.

The collection, or roll, of names of the persons passing the required examinations under the rules adopted by the Governor and Civil Service Commission of the State, and the mayors of the several cities, and from which collection or roll appointments to the Civil Service of the State or of such cities, were to be made, came to be known as the "eligible list," and upon it were entered the names of persons so qualified by such examinations, in the order of excellence by which they had passed the examinations to which they had been subjected.

By chapter 410 of the Laws of 1884, chapter 354 of the Laws of 1883, was amended and added to, and section 4 of said amendatory act, being a new and additional section, provided "That persons who served in the army or navy of the United States in the late war and having been honorably discharged therefrom, shall be preferred for appointment to positions in the Civil Service of the State, and of the cities affected by this act, over other persons (of equal standing), as ascertained under this act and the acts hereby amended."

In 1886, this law was further amended by chapter 29, which provided that persons who have served in the army or navy of the United States in the late war, and have been honorably discharged therefrom, shall be preferred for appointment to positions in the Civil Service of the State and of the cities affected by said act, "over all other persons though graded lower than others so examined and reported, provided their qualifications and fitness shall have been ascertained as provided under this act and the several acts hereby amended."

In 1894, by chapter 717, the law was further amended so as to read that "the Civil Service rules and laws of this State shall not apply to such persons residents of this State, who have served in the army and navy of the United States and who have been honorably discharged therefrom, for any position or employment, compensation for which does not exceed four dollars per day in the public departments and upon all public works of the State of New York, and of the several cities, counties, towns and villages thereof"

This was the condition of the Civil Service Laws of the State and of the city of Albany, so far as they affect the present application, when the new constitution was adopted in the fall of 1894, and the policy of the State of ascertaining the merit and fitness of persons applying for appointments in the Civil Service of the State and the cities and villages thereof, by examination, was made part of the organic law by section 9, article 5 of the Constitution, reading as follows: "Appointments and promotions in the Civil Service of the State, and of all the civil divisions thereof, including cities and villages, shall be made according to merit and fitness to be ascertained, so far as practicable, by examinations, which, so far as practicable, shall be competitive; provided, however, that honorably discharged soldiers and sailors from the army and navy of the United States in the late civil war, who are citizens and residents of this State, shall be entitled to preference in appointment and promotion, without regard to their standing on any list from which such appointments or promotions may be made. Laws shall be made to provide for the enforcement of this section."

After this section of the Constitution had become part of the fundamental law of the State, and the 26th day of February, 1895, the applicant, George Sweeley, applied to the board of police commissioners of the city of Albany, for appointment as a patrolman. It appears that Sweeley is a person who served in the army of the United States in the late civil war, and was honorably discharged therefrom; it also appears that he has passed a satisfactory physical examination and is competent to act as a patrolman of the city police force, but he has passed no Civil Service examination as prescribed by the rules and regulations made by the mayor, and approved by the State Civil Service Commission, as hereinbefore set forth, and it is conceded that his name does not appear upon any list of persons eligible to appointment, upon the police force of the city of Albany. The compensation of a patrolman on the police force of the city of Albany is less than four dollars per day.



The police board, upon the certificate of its examining surgeon, as to his physical fitness and competency to discharge the duties of a patrolman, appointed Sweeley to such position.

The Civil Service Examiners of the city of Albany, appointed under the Civil Service regulations of said city, thereafter called the attention of the police board to the provisions of the Constitution I have quoted; objections were made by certain citizens of the city to the appointment of Sweeley, and upon his presenting himself before such board of police commissioners and asking to be sworn in as such patrolman, and his warrant of office issued to him, and to be assigned to duty, such board of police commissioners refused his request, and adopted the following resolutions: "The appointment of George Sweeley having been declared illegal by the corporation counsel, for the reason that he was not certified by the Civil Service Commission, it is hereby resolved that his services be declined, and the chief, the captains and sergeants of this department, are hereby instructed to refuse his services, and each member of the board hereby refuses to administer the oath of office for the above mentioned reason."

Whereupon, the said Sweeley makes this application for a peremptory writ of mandamus, to be directed to the police commissioners, and each of them, commanding and directing them to administer to him the legal oath of office as a patrolman on the police force of the city of Albany, and to issue to him his warrant of appointment as such patrolman, and assign him to duty.

It is conceded by counsel that the remedy by mandamus, is proper, if the applicant is entitled to the office in question.

The only question raised and argued before me, and the only one I understand that it is desired to have considered, is, as to the effect of the amendment to the Constitution, I have quoted, upon the Civil Service laws of the State, in so far as they relate to honorably discharged veterans of the late civil war, and particularly its effect upon chapter 717 of the Laws of 1894.

It is contended that the amendment to the Constitution referred to does not effect the question, because, it is argued, such amendment is not self-executing. A constitutional provision is self-executing if it supplies a sufficient rule by means of which the right given may be enjoyed and protected, or the duty imposed may be enforced; and it is not self-executing when it merely indicates principles, without laying down rules by means of which those principles may be given the force of law.

Cooley on Const. Lim. 6th Edition, pages 99 and 100.



And it is asserted that the amendment in question simply lays down principles for future legislation ; that it does not prescribe the rules by which it may be enforced, and it is said that the amendment itself recognizes that fact in the last clause, which reads : " Laws shall be made to provide for the enforcement of this section."

I apprehend that this argument is correct as far as it goes. So far as any affirmative effect is to be given to the amendment in question, it will be assumed that it needs legislation to give it life.

But I can not assent to the argument, that until the Legislature passes laws to enforce it, it is absolutely a dead letter, and is as if it had never been adopted.

It is possible that if there were no laws upon the subject in existence, at the time of its adoption, upon which it could have a negative or nullifying effect, and none being passed after its adoption to enforce it, that practically it would be as if it had never been adopted, except that no theretofore existing right could be affirmatively enforced in opposition to it. But I can not agree to the proposition that where there are laws upon the statute book upon a given subject, that a constitutional enactment upon that same subject, subsequently adopted, in direct conflict with it, does not affect it, unless such constitutional enactment contains within its provisions the necessary machinery to affirmatively enforce it, and that if it does not, the pre-existing law, although in terms and principle in direct hostility to the constitutional enactment, continues in force until the Legislature provides the necessary machinery for enforcing, in an affirmative way, such provision of the Constitution.

Because the Legislature, through neglect, or because of the lack of time, after the adoption of the Constitution, has not provided the necessary means to enforce it, I can not concede that a citizen has any rights which he can enforce contrary to its provisions.

I can conceive of a statute constituting an act which was theretofore lawful, and which people had a right to do, a crime, and yet, when through omission or neglect, no punishment had been prescribed, and none prescribed by any general statute, that a person doing the act so defined to be a crime could not be punished because no penalty had been decreed, and therefore no means provided to enforce the law ; nevertheless, the person committing such act would be violating the law ; and I do not think that any one would, for a moment, contend that the courts would by their process enforce his claim to do that

which was formerly his right to do, but which the statute defined to be a crime.

So that such statute, although no means had been provided to enforce it, would not be a dead letter, but have a negative and prohibitive force and effect. So while a provision of the Constitution may need legislation to enforce its principles and give them affirmative effect, yet, without any legislation, such provision may have a negative force in prohibiting acts in violation of its terms and nullifying statutes repugnant to its principles, and thus while from lack of legislation its principles can not be affirmatively enforced, neither on the other hand can those principles be lawfully violated, or any statute violating them be enforced.

I will not discuss what negative effect the amendment in question, standing alone, may have in nullifying or repealing laws in existence at the time of its adoption, which are repugnant to it.

All parts of the Constitution are to be construed together, and in connection with each other.

Section 16 of article 1 of the Constitution provides, amongst other things, as follows: "Such acts of the Legislature of this State as are now in force, shall be continued the law of this State, subject to such alterations as the Legislature shall make concerning the same. But all parts of the common law, and such of the said acts, or parts thereof, as are repugnant to this Constitution, are hereby abrogated."

And in judging of the effect of the amendment under consideration, upon theretofore existing laws, such amendment must be read in connection with section 16 of article 1.

The Civil Service law of the State, as it was prior to the adoption of the new Constitution, is, with the exception of the acts that have been passed relative to soldiers, in harmony with such Constitution; the acts relative to soldiers are additions to the Civil Service law, and their repeal, or the repeal of such of them as are repugnant to the Constitution, will not destroy the whole law, but will leave it a harmonious and complete law.

The law under which the applicant claims his appointment to the police force, is a law which entirely relieves honorably discharged soldiers of the late civil war from subjection to the Civil Service laws of the State, in cases where the pay of the position sought, does not exceed four dollars a day. And the question that arises therefore is, whether such a law is repugnant to the amendment of the Constitution in question.



That leads us to an examination of the meaning and intent of such amendment.

“It is a cardinal rule in the interpretation of Constitutions that the instrument must be so construed as to give effect to the intention of the people who adopted it. This intention is to be sought in the Constitution itself, and the apparent meaning of the words employed is to be taken as expressing it, except in cases where that assumption would lead to absurdity, ambiguity or contradiction.”

Black's Constitutional Law, 65.

It was the evident intention by this amendment, to engraft into the organic law of the State, the principle of ascertaining the merit and fitness of applicants for appointment in the Civil Service of the State by examination, and also to provide for the extension of such principle, beyond what was provided for in then existing laws, or permitted by the old Constitution.

And it is apparent that while it was intended to give veterans the preference, it was not intended that they should be relieved from demonstrating their fitness for official positions by submitting to an examination, but simply to give them a preference over those not soldiers, who had also had their fitness tested by examination.

It is to be presumed that the framers of the section were acquainted with the existing Civil Service laws of the State and knew that under them appointments were made from a so-called “list;” that applicants for appointments were placed upon such list after an examination, and that the relative position or standing that they occupied on such list depended upon the manner in which they passed such examination. And it is to be presumed that in making use of the language that they did, they had in view such existing laws.

People v. Rathbone 145 N. Y., 435-38

And, therefore, it is plainly to be inferred from the language used, “Shall be entitled to preference in appointment and promotion, without regard to their standing on any list from which such appointments or promotions may be made,” that they had in contemplation, a list, made up after an examination of the applicants, from which appointments should be made, upon which list the soldier applicant should secure a standing by examination.

In aiding us to determine what the framers of this section meant by the language used, the proceedings of the convention are of great assistance. As originally proposed, the section in question, reads as



follows: "Appointments and promotions in the Civil Service of the State, and of the cities, shall be made so far as practicable according to merit and fitness, to be ascertained by examinations, which so far as practicable shall be competitive. Laws shall be made to provide for the enforcement of this section."

Records of New York Cons. Con., page 2438.

I will not refer to the various proceedings by which this section was afterwards altered, excepting as such alterations refer to the soldiers or sailors of the late civil war.

Under this proposed section it will be observed that the veteran soldier was not mentioned; that it applied to all citizens of the State alike.

Subsequently, the following amendment was proposed, to be added to the end of the section: "Honorably discharged Union soldiers and sailors, who are not otherwise disqualified from appointment or promotion, shall be exempt from the provisions of this section."

This amendment was voted down (same, 2444), and then the following substitute was offered: "That honorably discharged soldiers and sailors, of the late war, shall be exempt from Civil Service examinations, and that all that shall be required of them, shall be capacity to perform the service for which they are applicable." This also was negatived. (Same, 2444).

Thereafter, the following amendment was proposed: "Honorably discharged Union soldiers and sailors shall be exempt from such examinations, and shall have preference to such appointments and promotions." (Same, 2546).

Another amendment was offered in the following words: "Honorably discharged soldiers and sailors who served in the late war, who are not otherwise disqualified for promotion, shall be exempt from the provisions of said competitive examinations." (Same, 2547).

Still another amendment, reading as follows, was offered: "Honorably discharged Union soldiers and sailors of the late civil war, shall be exempt from the examinations required by this section." (Same, 2549).

This section, with the various amendments, was the cause of much debate, which, of course, it is impracticable to reproduce here, showing the desire and intention of those offering the several amendments to exempt soldiers and sailors of the late war from the operation of the Civil Service laws of the State, and of the proposed section of Constitution. In the course of the debate, chapter 717 of the Laws of 1894 was

referred to, and the lines were sharply drawn between those who desired to entirely exempt soldiers of the late war from the operations of the Civil Service Law, and the principle of ascertaining the fitness of candidates seeking appointment to public office by examination, and those who were willing to give them a preference, after they had demonstrated their fitness by being subjected to such examination, over others not soldiers and sailors, whose fitness had also been tested by examination.

This contest eventuated in the offering and adoption of the following provision: "Provided, however, that honorably discharged soldiers and sailors of the United States in the late civil war, shall be entitled to preference in appointment and promotion, without regard to their standing on any list from which appointments or promotions shall be made." (Same, 2554.)

This amendment being adopted, the president of the convention stated that that disposed of the necessity of taking a vote upon any of the other proposed amendments, and after amending it by inserting the words "army and navy of the " and the words "citizens and residents of this State," making it read as it now is in the Constitution, it was formally adopted by the convention. (Same, 2645.)

It will be seen by this review of the various steps taken in perfecting the section under consideration, and from the defeat of every amendment that proposed to exempt them from the operations of the Civil Service Law, or from examination to test their fitness for office, that it was the evident intention of the framers of the Constitution to subject the soldiers and sailors of the late war to the operations of the Civil Service Law, simply giving them a preference over others whose qualifications had been tested by examination; and the language by which they evidenced that intent, while perhaps not so clear as it might be, still sufficiently expresses it, and we must presume that the people who voted for and adopted it, had the same intention in so doing, as the convention which framed it. Such being the intention of the people and the meaning of the Constitution, if after the first of January, 1895, the Legislature had passed a law relieving all applicants for positions in the Civil Service of the State, or of any of the cities thereof, who are honorably discharged soldiers and sailors of the late civil war, from the operations of the Civil Service Laws of the State, I think no one would contend but that such law was in conflict with the Constitution, and therefore null and void. If a law passed after the Constitution went into effect, is unconstitutional and void because in conflict with the Constitution, the same law passed prior to



the adoption of the Constitution is "repugnant" to it, and under section 16 of article 1, as hereinbefore set forth, is abrogated.

It followed from this, that chapter 717 of the Laws of 1894, being a law which exempts honorably discharged soldiers and sailors from the operations of the Civil Service Law of the State, and from being examined to test their fitness, in cases where they are applicants for positions, the pay of which does not exceed \$4 per day, is in conflict with the provisions of the section of the Constitution in question, and "repugnant" to its principles and is therefore abrogated.

Section 4 of chapter 410 of the Laws of 1884, as amended by chapter 29 of the Laws of 1886, being in harmony with the Constitution is not abrogated by it, and the law by which it is amended, and by implication repealed (Chapter 717 of the Laws of 1894) being abrogated and repealed, it is revived and again becomes a part of the law of the State.

We thus have without any legislation to carry this section of the Constitution into affirmative effect, but by the force and effect of the provisions of the Constitution abrogated and repealing theretofore existing laws repugnant to it, and continuing in effect those laws not repugnant to it, a Civil Service Law to which the applicant, although an honorably discharged soldier of the late civil war, is subject, under the provisions of which he must be examined to test his fitness for the position he aspires to, and be placed upon the eligible list where he can be given a preference over all others, not soldiers or sailors, who have also been placed upon such list as the result of the examinations to which they have been subjected.

This conclusion leads to a denial of the application for a mandamus, but as the question is a new one, about which there has arisen difference of opinion amongst persons learned in the law, it is denied without costs; denied not as a matter of discretion, but as a matter of law.

NOTE.—This decision was affirmed by the Court of Appeals, June 14, 1895, without opinion. (146 N. Y. Rep. 401.)

### Matter of the Application of ALSON B. OSTRANDER, for a Writ of Mandamus.

Supreme Court — Albany Special Term, May, 1895.

(12 Misc. Rep., 476.)

CIVIL SERVICE—VETERAN PREFERENCE.—CONFIDENTIAL POSITION.—The persons whom the Superintendent of Public Buildings is authorized to appoint are not public officers, but employes. The position of Deputy Superintendent, created and so named by the Superintendent of Public Buildings, is a confidential one, and has been so classified by the Civil Service Commission, and, therefore, comes within the exception to chapter 716, Laws of 1894, giving preference in appointment to honorably discharged soldiers.



Application for a mandamus requiring the Superintendent of Public Buildings to appoint the applicant to the position of deputy superintendent.

*Robert H. McCormic, Jr.*, for application.

*Henry C. Nevitt*, opposed.

HERRICK, J.: The applicant rests his claim to the appointment to the position in question, upon the laws in relation to honorably discharged soldiers and sailors of the late war.

I deem it unnecessary at this time to review the various acts of the Legislature in relation to veterans.

His claim seems to me to rest upon the provisions of chapters 716 and 717 of the Laws of 1894. These acts became laws upon the same day. They contain no provisions necessarily inconsistent with each other, and therefore are to be construed as one law. They entitle him in certain cases to a preference over all others not veterans. The position he seeks is one under the Superintendent of Public Buildings.

Under chapter 227 of the Laws of 1893, the Superintendent of Public Buildings has power, "subject to the approval of the trustees, to appoint all persons necessary to the maintenance of the Department of Public Buildings, and the grounds under his charge."

The persons so authorized to be appointed by him are not public officers, but employes. No authority is vested in him, or in the trustees of the public buildings, to create an office.

The remedy by mandamus, I therefore think, is the proper one.

Chapter 716 of the Laws of 1894, the law which gives honorably discharged soldiers and sailors a preference, has the following proviso: "But the provisions of this act shall not be construed to apply to the positions of private secretary, or deputy, of any official or department, or to any other person holding a strictly *confidential position*."

The applicant must affirmatively show that the position he seeks is not one of those excepted from the preference to be given to veterans.

The particular position sought by the applicant, for which he filed his application with the Superintendent of Public Buildings, is designated as that of "deputy superintendent," a position or employment that appears to have been created and named by the Superintendent of Public Buildings.

Now, while I am inclined to think that this provision of the statute, so far as it refers to deputies, refers to officers as such created by statute, who are by law clothed with the power and authority of the

principal officer in his absence or inability to act, and that it does not refer to an employe, who may have been for convenience, but improperly, named deputy; who is not clothed with any official power or authority, and has no right under the statute to act for or in the place of the principal officer; and while therefore the naming of the position in controversy here, as that of deputy, does not necessarily bring it within the positions excluded from the operation of the laws in relation to soldiers, still this reasoning does not affect that portion of the statute relating to confidential positions.

And the applicant, instead of showing that the position he seeks is not a confidential one, alleges in his moving affidavit herein, "That said employment has been entered upon the schedule of confidential positions in the Civil Service of the State, as exempt from examination."

The Civil Service Commission of the State, together with the Governor, have power under the Civil Service laws, to classify the employes of the State.

And such position having, as the applicant states, been classified as a confidential one, I do not think that the applicant has a preference for the appointment thereto over any other applicant.

I do not think the provisions of the new Constitution change the position of the applicant. Since it was adopted, the Governor and Civil Service Commission have declared the employment in question a confidential one, and not subject to examination, which is in effect saying, in the language of the Constitution, that it is not "practicable" to ascertain the applicant's fitness for it by examination, and therefore it is not within the provisions of the Constitution as to Civil Service.

The application for a mandamus must, therefore, be denied; denied not as a matter of discretion, but as a matter of law; but, under the circumstances of this case, I think proper that such denial should be without costs.

NOTE.—This decision was affirmed by the General Term of the Supreme Court for the Third Department, May 14, 1895, and by the Court of Appeals, June 14, 1895, on the opinion of the court below. Reported in 146 N. Y. Rep., 404.

### Matter of the Application of GEORGE KEYMER for a Writ of Mandamus.

Supreme Court — Kings Special Term, June, 1895.

(12 Misc. Rep. 615.)

CIVIL SERVICE—CONSTITUTION OF 1894—VETERAN PREFERENCE.—The preference given to honorably discharged soldiers and sailors by section 9 of article 5 of the new State Constitution, namely, that they shall be preferred in the civil service for appointment or promotion from the eligible lists, without regard to their standing thereon, is exclusive, and no other preference may be given to them by the legislature.



SAME — CHAPTER 344, LAWS OF 1895, CONSTITUTIONAL.— The provision of the act, chapter 344 of the Laws of 1895, that competitive examinations shall not be deemed practicable or necessary in the case of positions in the civil service, the pay of which does not exceed four dollars a day, applies to all applicants, and not to honorably discharged soldiers and sailors only. It, therefore, is not violative of the said constitutional provision as giving them a preference in addition to that allowed thereby.

The petitioner, an honorably discharged soldier of the war of the rebellion, applied for a writ of mandamus, under chapter 344 of the Laws of 1895, to compel the Civil Service Commissioners of the city of Brooklyn to subject him to a non-competitive examination instead of a competitive one, which they insisted upon, to ascertain his fitness to go upon the list of eligibles for the place of messenger in the civil service of the city of Brooklyn

*Horatio C. King and Jesse Johnson*, for the petitioner.

*A. G. McDonald*, corporation counsel, opposed.

GAYNOR, J.: The petitioner claims that he may not be subjected to a competitive examination by the Civil Service Commissioners of the city of Brooklyn to ascertain his merit and fitness for the place of messenger, but that they must subject him to a non-competitive examination only. His contention is supported by the act, chapter 344 of the Laws of 1895. It provides that competitive examinations shall not be deemed practicable or necessary in cases where the compensation or other emolument of the office does not exceed \$4 per day. The place for which the petitioner seeks eligibility falls within this class. The respondents assail this statutory provision as in conflict with section 9 of article 5 of the new State Constitution. I do not see that it is unconstitutional. The said section of the Constitution is as follows: "Appointments and promotions in the civil service of the state, and of all the civil divisions thereof, including cities and villages, shall be made according to merit and fitness to be ascertained, so far as practicable, by examinations, which, so far as practicable, shall be competitive; provided, however, that honorably discharged soldiers and sailors from the army and navy of the United States in the late civil war, who are citizens and residents of this state, shall be entitled to preference in appointment and promotion, without regard to their standing on any list from which such appointment or promotion may be made. Laws shall be made to provide for the enforcement of this section."

The requirement of the Constitution is that merit and fitness for appointment and promotion in the civil service shall be ascertained by examinations, "so far as practicable," and that such examinations



shall be competitive "so far as practicable." The legislature is directed to make laws to carry out this constitutional provision. What is practicable or impracticable in respect to examinations, in order to get the best results, is thus left to the judgment of the legislature. It has exercised its judgment by enacting that competitive examinations shall not be deemed practicable or necessary in the case of positions, the pay of which does not exceed \$4 per day. I do not see that the courts may question legislative judgment in the matter at all. It is left to the Legislature to say that particular places shall not be subject to the test of examinations, as is the case generally with counsel to municipal corporations and confidential secretaries, for instance; and at the same time to require other places to be filled only by persons whose fitness has been ascertained by examinations, and in the case of these latter to prescribe competitive or non-competitive examinations, as it deems best. What offices and places it is practicable to subject to Civil Service examinations at all, in order to get the best results, and which of these should be put to the test of competitive examinations, and which to non-competitive, is obviously a matter of judgment. And it is now, as it has been heretofore, for the Legislature to determine. The petitioner is an honorably discharged soldier of the late civil war. It is contended that the said act of 1895 is violative of the section of the Constitution which I have cited, in that it gives a preference to honorably discharged soldiers and sailors beyond that provided for in the said constitutional provision. The constitutional requirement is that appointments and promotions in the Civil Service shall be made according to merit and fitness, which shall be ascertained by examinations, so far as practicable. It is followed by the proviso that honorably discharged soldiers and sailors of the late civil war shall be entitled to preference in appointment and promotion, without regard to their standing on any list from which such appointment or promotion may be made. I think the preference thus given was meant to be exclusive of any other—to be the sole preference. It is that, when the eligible lists are made up, war veterans thereon shall have the preference for promotion or appointment therefrom, without regard to their standing thereon. No preference is allowed to them in the examinations. The constitutional requirement that merit and fitness be ascertained by examinations necessarily contemplates that all applicants for examination for a particular place or class of places shall be treated alike in respect of the examination. It can not, for instance, be made competitive as to some and non-competitive as to others. If, there-

fore, the said act of 1895 must be construed as providing that war veterans shall be tested only by a non-competitive examination for places, the pay of which does not exceed \$4 a day, while other applicants for the same place may be subjected to a competitive examination, I would deem it unconstitutional. But I do not think it must be so construed. The language of the act is that honorably discharged soldiers and sailors of the late civil war "shall be certified as such by the commissioners or board of officers authorized to report names for appointment or promotion to the appointing officer or other appointing power, and when such honorably discharged soldiers and sailors of the late civil war are applicants, they shall be preferred for such appointment and promotion, and competitive examinations shall not be deemed practicable or necessary in cases where the compensation or other emolument of the office does not exceed \$4 per day, but the examination shall be such as is calculated only to ascertain the merit and fitness of the applicant for the position for which he applies, and if found fitted to fill such position, the applicant's name shall be placed on the eligible list, and shall be certified therefrom." The rule is, that if an act be capable of two constructions, one of which would make it violative of the Constitution and the other not, the latter construction must be adopted. Although the act is one relating to war veterans and intended for their benefit, I think the provision hereof, that competitive examinations shall not be deemed practicable or necessary in the case of places the pay of which does not exceed \$4 per day, may be easily construed as applicable alike to all persons presenting themselves for examinations, and not to war veterans alone. I am not permitted to assume that the Legislature meant to make the provision unconstitutional by restricting it to war veterans.

That the language is capable of such a construction is true, but it is also capable of the broader construction which I have given it. Let a writ of mandamus issue requiring the respondents to subject the petitioner to a non-competitive examination at a suitable time."

NOTE.—This decision was reversed by the General Term of the Supreme Court for the Second Department, July Term, 1895, and the reversal sustained by the Court of Appeals, January 21, 1896. See opinions in full below.



In the Matter of the Application of GEORGE KEYMER, *Respondent*,  
for a Writ of Mandamus, directed to THE CIVIL SERVICE COMMISSION OF THE CITY OF BROOKLYN, *Appellant*.

Supreme Court — General Term, Second Department, July, 1895.

(89 Hun, 292.)

CIVIL SERVICE — VETERAN PREFERENCE — CHAPTER 344, LAWS OF 1895, UNCONSTITUTIONAL. —

Chapter 344 of the Laws of 1895, which provides that persons who served in the army or navy of the United States in the late civil war and have been honorably discharged therefrom, shall be certified as such by the commissioners or board of officers authorized to report names for appointment or promotion, to the appointing officer or other appointing power, and when such honorably discharged soldiers or sailors are applicants, they shall be preferred for such appointment and promotion, and competitive examinations shall not be deemed practicable or necessary in cases where the compensation or other emolument of the office does not exceed four dollars per day, but the examination shall be such as is calculated only to ascertain the merit and fitness of the applicant for the position for which he applies, and, if found fitted to fill such position, the applicant's name shall be placed on the eligible list, and he shall be certified therefrom, in so far as it declares competitive examinations not to be practicable or necessary, is in conflict with section 9 of article 5 of the Constitution of the State of New York, and is void in that it creates a preference to veterans of the late war which it is beyond the power of the Legislature to grant.

SAME — EFFECT OF CONSTITUTIONAL PROVISION. — The effect of the constitutional provision (sec. 9 of art. 5) is to bring the whole Civil Service of the State of New York under the operation of the Civil Service laws. Veteran soldiers and sailors have the preference that the Constitution gives them; this preference is exclusive of all others, and the Legislature can give them no more.

PRACTICABILITY OF COMPETITIVE EXAMINATIONS — HOW DETERMINED — BY WHOM. — The power to determine in what cases competitive examinations are practicable does not include the power to exempt or relieve one class of citizens from such examinations and exact them from others. Applicants for the same office, in reference to the manner of the examination, must be treated alike. The expression in the Constitution, "so far as practicable," qualifies the declaration that merit and fitness for office shall be ascertained by examination as well as the declaration that such examination shall be competitive. The plain purpose of chapter 344 of the Laws of 1895 is to extend to the veteran soldiers and sailors a preference in appointment that is not given to them by the Constitution, which it is not within the power of the Legislature to do. It is within the power of the Legislature to determine in the case of what offices or class of offices examinations or competitive examinations for positions in the Civil Service of the State of New York are practicable, but whether a particular statute is a valid exercise of that power is a judicial question.

SAME — NOT DETERMINED BY THE RATE OF COMPENSATION. — The power of the Legislature, by section 9 of article 5 of the Constitution of the State of New York, is restricted to the passage of laws for the enforcement of such section. The limit of legislative power is thus accurately defined, and the validity of every law relating to appointments and promotions in the Civil Service of the State, or of the municipal corporations thereof, is to be tested by the inquiry whether the statute tends to enforce the provisions of the Constitution, and if it is apparent that such is not the real object and purpose of a law the courts will interfere and protect the constitutional rights of the people. Statutory rule on this subject can not rest upon the fact of the amount of compensation attached to the office without reference to the duties of the office and the character of the services to be performed; such a rule would annul the constitutional mandate, would transcend the power of the Legislature and be void.

Appeals by the Civil Service Commission of the city of Brooklyn from an order of the Supreme Court, made at the Kings county



Special Term and entered in the office of the clerk of the county of Kings on the 14th day of June, 1895, directing that a peremptory writ of mandamus issue to the Civil Service Commission of the city of Brooklyn, requiring it to examine the relator for the position of messenger in the Civil Service, in pursuance of chapter 344 of the Laws of 1895.

*Albert G. McDonald*, for the appellant.

*Horatio C. King* and *Jesse Johnson*, for the respondent.

BROWN, P. J.—On May 17, 1895, the respondent presented to the Civil Service Commission of the city of Brooklyn an application, of which the following is a copy:

“BROOKLYN, N. Y., *May* 17, 1895.

“W. J. D. CAMPBELL, Esq., *Secretary Civil Service Commission, Brooklyn, N. Y.:*

“DEAR SIR.—I respectfully apply for a non-competitive examination as messenger in the service of the city of Brooklyn, in pursuance of and in conformity with chapter 344 of the Laws of New York, which became a law April 18, 1895.

“I served in the army of the United States in the late civil war and have been honorably discharged therefrom.

“An early reply will oblige,

“Very truly yours,

“GEORGE KEYMER.”

This application having been denied the respondent instituted this proceeding, and the order appealed from directs that a peremptory mandamus issue directed to said Civil Service Commission, requiring it to examine said respondent for the position of messenger in the Civil Service of said city, pursuant to chapter 344 of the Laws of 1895.

The statute referred to in the order of the court, so far as it is material to the case before us, is as follows:

“In grateful recognition of the services, sacrifices and sufferings of persons who served in the army or navy of the United States, in the late civil war, and have been honorably discharged therefrom, they shall be certified as such by the commissioners or board of officers, authorized to report names for appointment or promotion to the appointing officer or other appointing power, and when such honorably discharged soldiers and sailors of the late civil war are applicants,

they shall be preferred for such appointment and promotion, and competitive examinations shall not be deemed practicable or necessary in cases where the compensation or other emolument of the office does not exceed \$4 per day, but the examination shall be such as is calculated only to ascertain the merits and fitness of the applicant for the position for which he applies, and if found fitted to fill such position, the applicant's name shall be placed on the eligible list and he shall be certified therefrom."

It is the contention of the appellant that this statute, so far as it declares competitive examinations not to be practicable or necessary, is in conflict with section 9, article 5 of the Constitution, and is therefore void, while the respondent claims, and the learned judge who heard the case at Special Term has decided that what is practicable or impracticable in respect to examination is, by the Constitution, left to the judgment of the Legislature; and that the judgment of that body is not subject to the review of the courts.

The Constitutional provision is as follows :

"Section 9. Appointments and promotions in the Civil Service of the State, and of all the civil divisions thereof, including cities and villages, shall be made according to merit and fitness, to be ascertained, so far as practicable, by examinations, which, so far as practicable, shall be competitive; provided, however, that honorably discharged soldiers and sailors from the army and navy of the United States in the late civil war, who are citizens and residents of this State, shall be entitled to preference in appointment and promotion, without regard to their standing on any list from which such appointment or promotion may be made. Laws shall be made to provide for the enforcement of this section."

Prior to the adoption of the present Constitution, the Civil Service Laws existed solely by statute and were subject to changes or repeal at the will of the Legislature. The first statute was passed in 1883 (chapter 354). That act was repeatedly amended and there was a gradual relaxation of its provisions with reference to honorably discharged soldiers and sailors who had served in the war, until finally by chapter 717 of the Laws of 1894, the Legislature declared that the Civil Service laws did not apply to such persons for any position, the compensation of which did not exceed \$4 per day.

Under the decision of the Court of Appeals in the case of the People v. Angle, 109 N. Y. 564, persons employed under the direction of the Superintendent of Public Works and in the State prisons were also exempted from the operation of the Civil Service laws. But



with these exceptions the Laws were applicable to all other persons in the Civil Service of the State and the cities thereof, and it was provided that the fitness of applicants for office should be tested by open competitive examination.

Laws of 1883, chapter 354, section 2.

Laws of 1884, chapter 410, section 8.

And such were the regulations for the city of Brooklyn.

The effect of the provision of the Constitution referred to has recently been considered in another branch of this court in two cases.

In *People v. Roberts*, 34 N. Y., Supp. 641, it was decided by Justice Herrick, that appointments in the Department of Public Works and in the State prisons were now subject to the Civil Service Laws, and in the matter of *Sweeley*, 12 Misc. Rep. 174, the same justice decided that the Constitutional provision had abrogated chapter 717 of the Laws of 1894, and that soldiers and sailors of the late war are now subject to the operation of said laws and that the preference in appointment and promotion that the provision in question gives to them, is a preference of selection from an eligible list made up after examination of applicants, upon which list the soldier applicant must secure a standing by examination.

This decision was affirmed by the Court of Appeals without opinion all the judges concurring except Judge Peckham, who did not sit.

The effect of the constitutional provision, therefore, is that the whole Civil Service of the State has been brought under the operation of the Civil Service laws. Veteran soldiers and sailors have the preference that the Constitution gives them. This preference is exclusive of all others. The Legislature can give them no more. If, therefore, the law which is referred to in the order of the court is applicable only to veterans it creates a preference that it was beyond the power of the Legislature to grant, and is void.

The power to determine in what cases competitive examinations are practicable does not include the power to exempt or relieve one class of citizens from such examination and exact them from others. All applicants for the same office, in reference to the manner of examination, must be treated alike.

We are of the opinion that the law, by its express terms, applies only to veterans of the war.

The original Civil Service law of 1883 contained no provision exempting veteran soldiers and sailors from its operation. That exemption was first made by chapter 410 of the Laws of 1884.



That act was an amendment of the law of 1883; but the exemption was contained in a new section which was added to the original law. This section related solely to veteran soldiers and sailors. It was amended in 1886 and again in 1894, and in each amendment it related solely to exemption of soldiers and sailors from the operation of the Civil Service laws. The law referred to in the order appealed from is, in form, again an amendment of the original section in the statute of 1884. It provides that in recognition of the services of those who served in the army and navy in the late civil war and were honorably discharged therefrom, they shall be certified as such by the commissioners, and when such honorably discharged soldiers and sailors are applicants they shall be preferred for appointment. It then declares competitive examinations not practicable or necessary and that the examination shall be in effect non-competitive, and if found fitted to fill the position for which he applies the applicant's name shall be placed on the eligible list. The further provisions of the law relate exclusively to the appointment of soldiers and sailors to positions of which the compensation exceeds \$4 per day. The history and context of the law both show that it relates solely to veterans. It is true that the sentence which declares competitive examinations impracticable, if it stood alone would apply to all applicants. But it does not stand in the law as a separate sentence, but as part of a provision relating only to soldiers and sailors. It can not be separated from the context, and its plain reference is to the examination of applicants who are veteran soldiers and sailors. It is the soldier who is referred to as "applicant" and whose name is to be placed on the eligible list after an examination, calculated only to ascertain his fitness, and it is as to such applicants that competitive examinations are declared not to be practicable or necessary. Moreover, if it was intended that this law should be applicable to all applicants for office, the amendment would naturally have been to section 2 of the act of 1883, or section 8 as amended by the act of 1884. Those sections provide for open, competitive examinations as to all offices "as nearly as the condition of good administration will warrant."

That those sections of the law were left to stand as originally enacted, and the amendment inserted in the section which related only to veterans is strong evidence that the Legislature intended it to be applicable only to veterans. It is intelligible that the Legislature, overlooking the effect of the provision of the Constitution which had gone into operation only on January 1, 1895, should desire and intend to give a preference in the appointments to the Civil Service of the veterans of

the war, but I have too much respect for the intelligence of that body to suppose that it intended to declare as its deliberate judgment that a competitive examination was impracticable for an office when the compensation did not exceed \$4 per day, but practicable if the compensation exceeded that sum by the merest trifle.

We are of the opinion, therefore, the court erred in holding that the law applied to all applicants for office. Its plain purpose is to extend to the veteran soldiers and sailors a preference in appointment which is not given to them by the Constitution, and for that reason it was not within the power of the Legislature, and is void.

But if we could give to this law a general application to all applicants for promotion, we are of the opinion that it could not be sustained as a valid exercise of power by the Legislature.

That the judgment of the Legislature upon the propriety of laws passed in the exercise of discretionary power is not final, but is subject to the review of the courts has been frequently decided. Thus the power of taxation, which is the broadest possessed by the Legislature, is not without its limitation, and its action in reference thereto is constantly reviewed by the courts. In the exercise of the power of eminent domain, although the Legislature may declare the use for which property is sought to be taken, a public one, that determination is not conclusive, but may be reviewed by the courts and the question determined as one of fact, and any owner of property which it is sought to take for a use which is in fact private may invoke the aid of the courts to protect his property against invasion.

*Rockwell v. Nearing*, 35 N. Y. 302.

*Matter of Deansville Cemetery Association*, 66 N. Y. 569.

*Matter of Warehouse & Mnfg. Co.*, 96 N. Y. 42.

The exercise of the police power by the Legislature is constantly reviewed, and its action thereon frequently annulled by the courts.

*Matter of Jacobs*, 98 N. Y. 98.

*People v. Marx*, 99 N. Y. 377.

And in reference to the power given to Congress by the Federal Constitution to pass laws which shall be necessary for carrying into execution the enumerated powers of the general government, the Supreme Court of the United States has frequently held that the question whether such laws were properly passed was open to judicial inquiry.

*McCulloch v. Maryland*, 4 Wheaton, 316.

*Hepburn v. Griswold*, 8 Wall. 603.



Also see the Legal Tender cases and the recent cases as to the validity of the income tax.

These citations show that laws passed pursuant to a constitutional limitation that they shall relate to the enforcement or carrying out of a constitutional mandate are always open to judicial review.

It may be conceded as a general proposition that it is in the power of the Legislature to determine with reference to what offices or class of offices, examinations or competitive examinations are practicable, but whether a particular statute is a valid exercise of that power is a judicial question.

It will be observed that the power of the Legislature is by the section quoted, restricted to the passage of laws for the enforcement of this section. The limit of Legislative power is thus accurately defined, and the validity of every law relating to appointments and promotions in the Civil Service of the State, or of the municipal corporations thereof, is to be tested by the inquiry whether the statute tends to enforce the provision of the Constitution. If it is apparent that such is not the real object and purpose of a law the courts will interfere and protect the constitutional rights of the people.

The expression "so far as practicable," which is used in this provision of the Constitution, qualifies the declaration that merit and fitness for office shall be ascertained by examination as well as the declaration that such examination shall be competitive, and if the Legislature have power to determine that competitive examinations are not practicable with reference to certain offices, they have equal power to declare that all examinations as to such offices are impracticable. It is also clear that, if the Legislature may determine that examinations are not practicable with reference to offices to which is attached a stated compensation, that it may fix the limit of compensation at any sum it chooses, and that it is thus within its power to include within such limitation the whole Civil Service of the State.

To uphold the law in question, therefore, requires the recognition of a power in the Legislature to annul the constitutional provision altogether.

If the Legislature should pass a law which should declare that examinations were deemed impracticable with reference to all appointive offices in this State there is no one, I think, who would hesitate to say that such a law was unconstitutional. Yet if we admit the power to pass the law in question, that is precisely what the Legislature may do. Questions of power do not depend upon the manner of their exercise. If the power exists it may be exercised at the will of those



who possess it, and if the Legislature may declare that examinations are not practicable, with reference to an office with a named salary, it may so declare with reference to all offices in the State. The constitutional guaranty that merit and fitness for office, to be ascertained by examination, should be the sole basis for appointment in the Civil Service, would be of very little worth, if the Legislature may so easily destroy it. Under such a construction no advance has been made by the insertion of the principle in the Constitution, as its operation is still made dependent on the will of the Legislature.

In construing the section of the Constitution with reference to appointments in the Civil Service, we must keep in mind that the Constitution did not in this respect, establish a new rule or principle of government, but engrafted upon and embodied in the fundamental law of the State a principle in reference to appointments to office that had been in operation in the State for upwards of ten years, and in determining the purpose and intent of this provision of the Constitution we must assume that the convention that framed it, and the people who adopted it, had in view the then existing laws. Looking therefore at the history of the law, the obvious intent in embodying this principle in the Constitution was to restrict the power of the Legislature upon the subject, and to withdraw from its power of determination, the question whether merit and fitness should thereafter prevail in appointments to office in the Civil Service of the State.

It would be difficult to define the extent of the legislative power to declare in what cases examinations or competitive examinations are not to be deemed practicable. It is not necessary to do that in this case and we shall not attempt it. It is only necessary to say that laws passed in the exercise of that power must have some relation to the objects and ends which the people by adopting the constitutional provision intended should prevail in the civil service of the State. It is too plain to need argument that the practicability or impracticability of an examination to ascertain the fitness of applicants for office has no relation to and does not depend on the compensation attached to the office. A rule upon that subject must have relation to the duties of the office and the character of the services to be performed. Illustrations of the proper distinctions in this respect are to be found in the regulations now existing in the Civil Service of the State and in the cities.

We are of the opinion that no valid rule on this subject can rest upon the fact of the amount of compensation attached to the office without some reference to the duties of the office and the character of

the services to be performed, and the reason is obvious that such a rule has no tendency to enforce the constitutional provision but annuls it absolutely as to all offices within the limit of compensation named. Such a law is opposed to the rule established in the statute of 1883 and to the experience of the State thereunder for the past ten years. The rule as to open competitive examinations and the manner of its operation and effect were well known to the people of the State when the Constitution was submitted to the popular vote. It had been in operation in the Federal service and in this and other States for ten years. That the people intended to embody the result of that experience in the fundamental law of the State is beyond question, and in construing the power of the Legislature over the manner of examinations we must give due and proper effect to that purpose and intent.

A rule, such as the law under consideration, would establish if we should construe it as having a general application would not tend, in any way to enforce the constitutional mandate, but would *pro tanto* annul it, and for that reason it would transcend the power of the Legislature and be void.

The order appealed from must be reversed and the motion denied.

In the Matter of the Application of GEORGE KEYMER, *Appellant*, for a Writ of Mandamus directed to THE CIVIL SERVICE COMMISSION OF THE CITY OF BROOKLYN, *Respondent*.

Court of Appeals — January 21, 1896.

(148 N. Y. Rep. 219.)

THE CIVIL SERVICE — CONSTITUTION OF 1894 — VETERANS. — Section 9 of article 5 of the Constitution of 1894, which prescribes that appointments and promotions in the Civil Service of the State and of all the civil divisions thereof shall be made according to merit and fitness, to be ascertained, so far as practicable, by examinations, which, so far as practicable, shall be competitive, with the proviso that honorably discharged soldiers and sailors of the late civil war shall be entitled to preference in appointment and promotion without regard to their standing on any list from which such appointment or promotion may be made, gives no preference to veterans of the civil war over other citizens of the State in examinations, whether competitive or non-competitive; but its meaning is that when, as a result of examinations, a list is made up, consisting of those whose merit and fitness have been duly ascertained, then the veteran is entitled to preference, without regard to his standing on the list.

VETERANS — CHAPTER 344, LAWS OF 1895. — The provisions of chapter 344, Laws of 1895, to the effect that as to honorably discharged soldiers and sailors of the late civil war, competitive examinations for appointment in the Civil Service shall not be deemed practicable or necessary in cases where the compensation or other emolument of the office does not exceed four dollars per day, are in conflict with section 9 of article 5 of the Constitution of 1894, and consequently void.

Appeal from an order of the General Term of the Supreme Court in the Second Judicial Department, made July 26, 1895, which reversed



an order of Special Term directing a writ of mandamus issue commanding the defendant, the Civil Service Commission of the city of Brooklyn, to afford the relator, George Keymer, a non-competitive examination, in conformity with chapter 344, Laws of 1895, for the position of messenger, the compensation of the position being less than four dollars per day.

Further facts are stated in the opinion.

*Jesse Johnson*, for appellant.

*Albert G. McDonald*, for respondent.

BARTLETT, J.: The single question presented by this appeal is, whether chapter 344, Laws of 1895, is in conflict with article 5, section 9, of the Constitution of 1894.

The relator, an honorably discharged soldier of the late civil war, applied to the defendant on the 17th day of May, 1895, for a non-competitive examination as messenger in the service of the city of Brooklyn, in pursuance of chapter 344, Laws of 1895, which went into effect April 18, 1895.

The application was refused and this proceeding was instituted.

The act of 1895 is amendatory of various acts amending the original act of 1883 (chapter 354), to regulate and improve the Civil Service of the State of New York.

The material portion of section 1 of the Act of 1895, reads as follows: "In grateful recognition of the services, sacrifices and sufferings of persons who served in the army or navy of the United States in the late civil war, and have been honorably discharged therefrom, they shall be certified as such by the commissioners or board of officers authorized to report names for appointment or promotion to the appointing officer or other appointing power, and when such honorably discharged soldiers and sailors of the late civil war are applicants, they shall be preferred for such appointment and promotion, and competitive examinations shall not be deemed practicable or necessary in cases where the compensation or other emolument of the office does not exceed \$4 per day, but the examination shall be such as is calculated only to ascertain the merits and fitness of the applicant for the position for which he applies, and if found fitted to fill such position, the applicant's name shall be placed on the eligible list and he shall be certified therefrom."

The Constitution of 1894 (article 5, section 9), reads as follows: "Section 9. Appointments and promotions in the Civil Service of the



State, and of all the civil divisions thereof, including cities and villages, shall be made according to merit and fitness, to be ascertained, so far as practicable, by examinations, which, so far as practicable, shall be competitive; provided, however, that honorably discharged soldiers and sailors from the army and navy of the United States, in the late civil war, who are citizens and residents of this State, shall be entitled to preference in appointment and promotion, without regard to their standing on any list from which such appointment or promotion may be made. Laws shall be made to provide for the enforcement of this section."

This section of the Constitution is clear and concise, and it would seem as if there ought to be little difficulty in understanding its meaning. Appointments and promotions in the Civil Service are to be made according to merit and fitness, to be ascertained, so far as practicable, by examinations, which, so far as practicable, shall be competitive.

This is all the Constitution has to say in regard to examinations. It then provides that certain described honorably discharged soldiers and sailors in the late civil war shall be entitled to preference in appointment and promotion, without regard to their standing on any list from which such appointment or promotion may be made.

This is the only provision made for the veterans of the civil war. It then declares that laws shall be made to provide for the enforcement of these provisions.

Three points stand out clearly in this section, viz.:

1. Merit and fitness are to be ascertained, so far as practicable, by examinations.

2. Examinations, so far as practicable, shall be competitive.

3. The honorably discharged soldiers and sailors of the civil war are only entitled to preference, in appointment and promotion, after their names appear on the list from which appointments and promotions may be made.

It will be profitable, before considering the Act of 1895, in the light of these constitutional provisions, to refer briefly to the condition of Civil Service legislation at the time the new Constitution was framed, and the proceedings in the Constitutional Convention in reference to the section we are considering.

In 1883 an act was passed to regulate and improve the Civil Service of the State of New York (chap. 354); in 1884 (chap. 410, § 4) the Act of 1883 was amended by giving honorably discharged soldiers and sailors in the late war preference for appointment in the Civil Service

over other persons of equal standing, as ascertained under the act and the act amended.

In other words, this was a preference on the eligible or waiting list.

In 1886 (chap. 29, § 1) the Act of 1884 was amended by removing some of its obscurities. Chapter 464, Laws of 1887, amending chapter 312, Laws of 1884, also conferred special privileges on veterans. In 1894 (chap. 717) the previous acts were amended by adding to the provisions already referred to, the following, viz.: "But the Civil Service rules and laws of this State shall not apply to such persons, residents of this State, who served in the army or the navy of the United States in the late war and have been honorably discharged therefrom, for any position or employment, the compensation of which does not exceed \$4 a day, in the public departments and upon all public works of the State of New York, and of the several cities, counties, towns and villages thereof."

At that time no constitutional provision stood in the way of such legislation, whatever other reason might have been urged against it.

The Constitution of 1894 went into effect January 1, 1895.

Shortly thereafter the act of 1894 (chap. 717) was declared by the special term of the third department to be in conflict with the provisions of the Constitution of 1894, already quoted, and, therefore, abrogated.

People ex rel. George Sweeley v. Oren E. Wilson et al., Police Commissioners, etc., 12 Misc. Rep. 174; affirmed June 14, 1895, 146 N. Y. 401, without opinion.

Judge Herrick wrote so able and exhaustive an opinion at special term that this court, in affirming, did not deem it necessary to write.

The constitutional convention, familiar with the Civil Service legislation referred to, framed the section we have quoted and the history of its passage through that body is instructive.

As originally offered to the convention the section read: "Appointments and promotions in the Civil Service of the State and of the cities shall be made, so far as practicable, according to merit and fitness, to be ascertained by examinations, which, so far as practicable, shall be competitive. Laws shall be made to provide for the enforcement of this section."

Records of the New York Const. Con. p. 2438.

It will be observed that, as introduced, this section provided for no preferred class.



The following amendment was offered and defeated (Id. 2444): "Honorably discharged Union soldiers and sailors, who are not otherwise disqualified for such appointment or promotion, shall be exempt from the provisions of this section." A number of amendments were then offered differing in phraseology, but having a common object, the exemption of honorably discharged Union soldiers and sailors from the provisions of the section.

Finally the following amendment was offered and adopted (Id. 2554), which was practically a substitute for all pending amendments: "Provided, however, that honorably discharged soldiers and sailors of the United States in the late civil war shall be entitled to preference in appointment and promotion, without regard to their standing in any list from which appointment or promotion shall be made."

This was afterward slightly amended so as to read as it stands in the section at the present time.

It is, therefore, apparent, in view of the Civil Service legislation existing in 1894, and the history of this section of the Constitution under review in the Constitutional Convention, that it was the intention of the framers of the Constitution to place all the citizens of the State on an equality as to examinations, to determine the merit and fitness of those who desired an appointment in the Civil Service.

It was only after long debate and the defeating of a number of more radical amendments in the convention that the veterans of the civil war secured preference in appointment and promotion without regard to their standing on any list from which appointment and promotion could be made.

It seems to us clear that this section of the Constitution, read according to its letter and spirit, contemplates that in all examinations, competitive and non-competitive, the veterans of the civil war have no preference over other citizens of the State, but when, as a result of those examinations, a list is made up from which appointments and promotions can be made, consisting of those whose merit and fitness have been duly ascertained, then the veteran is entitled to preference without regard to his standing on that list.

We come, then, to consider the act of 1895, which provides in substance that as to honorably discharged soldiers and sailors of the late civil war, competitive examinations shall not be deemed practicable or necessary, in cases where the compensation or other emolument of the office does not exceed \$4 per day.

It is very clear that this act is in conflict with the section of the Constitution we have examined and construed.



In the first place, this act refers only to the veterans of the civil war, and creates a favored class.

The veteran who seeks a place in the Civil Service where compensation does not exceed \$4 per day is exempted from competitive examination, while every other citizen must submit to it.

This is contrary to the letter and spirit of the Constitution, and renders the act void.

There is, however, another provision fatal to the act wherein it arbitrarily declares that as to veterans competitive examinations shall not be deemed practicable or necessary in cases where compensation does not exceed \$4 per day.

While it is true that the Constitution contemplates that it may not always be practicable to ascertain merit and fitness by examinations, or to have these examinations competitive, yet a mere arbitrary declaration in an act of the Legislature that competitive examinations of veterans are impracticable in cases where the compensation does not exceed \$4 per day, is in plain violation of the provisions of the Constitution making competitive examinations necessary.

It needs no argument to demonstrate that the rate of compensation attaching to an office is no test of the practicability of subjecting the applicant for the position to a competitive examination.

It is not necessary at this time to define and limit the power here conferred upon the Legislature.

It is enough to say that the attempted exercise of power in the act of 1895 is void.

It is quite possible there are or will be offices and positions, by reason of peculiar duties, which experience will demonstrate can not be filled by competition, and when such a case arises it will be competent for the Legislature to provide for it by an appropriate act disclosing the circumstances which justify the intervention.

We have been urgently requested to construe the Civil Service section of the Constitution and the subsequent legislation to enforce it so as to protect the veterans of the civil war in their declining years when seeking positions wherein to earn an honest living.

We have but one duty to discharge at this time and that is to construe the Constitution as written and to determine the validity of legislation seeking to enforce it.

The status of war veterans in the Civil Service was fixed by the Constitutional Convention of 1894, and if it is not satisfactory to the people the remedy is with them.

We are fully convinced, however, of the wisdom of a well-regulated

Civil Service in the State and all its civil divisions. Experience has demonstrated that competitive examinations have greatly benefited the public service.

This being so, the war veterans, in common with all other good citizens, will favor a rigid enforcement of the Civil Service provisions of the Constitution.

The order appealed from should be affirmed.

All concur, except VANN, J., not sitting.

Order affirmed.

THE PEOPLE OF THE STATE OF NEW YORK *ex rel.* JOHN WILLIAM McCLELLAND *v.* JAMES A. ROBERTS, *Comptroller*.

Supreme Court — Albany Special Term, Chambers, July, 1895.

(13 Misc. Rep. 448.)

REVISED CONSTITUTION, EFFECT OF AMENDMENTS.—The power of appointment of subordinates conferred upon the Superintendent of Public Works by section 3 of article 5 of the Constitution is limited by and to be exercised subject to the provisions of section 9 of the same article, requiring appointments in the Civil Service to be made according to merit and fitness, to be ascertained, so far as practicable, by examinations.

THE SAME, EFFECT ON EXISTING LEGISLATION.—New legislation is not necessary to give effect to section 9 as to the Department of Public Works, as the Civil Service laws in existence when the constitution was adopted were continued, and may be used to give effect to said section.

APPOINTMENT WITHOUT EXAMINATION, ILLEGAL.—The relator was appointed by the Superintendent of Public Works in April, 1895, as clerk to the collector of canal statistics at Albany. He passed no examination for the position, and his name was not certified to the Comptroller by the Civil Service Commission. On application for a mandamus to compel the Comptroller to draw a warrant for his salary, held, that relator's appointment was in violation of the Constitution and of the Civil Service laws of the State.

Application for a mandamus.

*Myer Nussbaum*, for relator.

*Matthew Hale*, for Comptroller.

HERRICK, J.—This is an application for a writ of peremptory mandamus, to be directed to the Comptroller of the State of New York, commanding him to draw his warrant for the payment of the salary of the relator as clerk to the collector of canal statistics, for the month of May, 1895.

It appears that on the 26th of April, 1895, the Superintendent of Public Works issued a commission to the relator, under his hand and seal, in the words following:

“ALBANY, April 26, 1895.

“By virtue of the power vested in me by section 3 article 5 of the Constitution of the State of New York, I do hereby appoint J. W.



McClelland, of Albany, N. Y., clerk to canal statistics, at Albany, N. Y.; salary \$65 per month."

The relator had passed no Civil Service examination for the position in question, and his name was not certified to the Comptroller by the Civil Service Commission of the State.

The Comptroller bases his refusal to draw his warrant upon chapter 354 of the Laws of 1883, as amended by chapter 681 of the Laws of 1894, which provides for arranging in classes, clerks and employes in the public service of the State, and provides for the certification to the Comptroller by the Civil Service Commission of the names of all officers, clerks or other persons appointed to the public service of the State, from either of said classes, and prohibits the Comptroller from drawing his warrant for the payment of any salary or compensation to any officer, clerk or other person in the public service, who has not been so certified to him.

The relator contends that the law in question is not applicable to his case, and that there is no necessity for his name being certified to the Comptroller by the Civil Service Commission of the State, because, as he alleges, under the laws and the Constitution of the State, the appointees of the Superintendent of Public Works are not subject to Civil Service laws, but that the power of appointment is lodged exclusively in such superintendent, untrammelled by any laws, rules or regulations whatever.

The position taken by the parties to this proceeding, makes it necessary to examine not only the Civil Service laws of the State, but the Constitution, not only as it is, but as it was prior to January 1, 1895.

The questions presented are of grave importance, seriously affecting the Civil Service of the State, and the administration of some of its greatest and most important departments, as well as the title to office of many subordinate officers of the State, and, therefore, merits a careful consideration.

In 1876, the then existing Constitution was amended by creating an entirely new official, known as "a Superintendent of Public Works," to whom was confided the execution of laws "relating to the repair, navigation, construction and improvement of the canals, except so far as such construction and improvement should be confined to the State Engineer and Surveyor."

Being thus made responsible for the care and maintenance of the canals, he was given a corresponding power in the selection of his subordinates. After providing for the appointment by him of three assistant superintendents, such amendment further provided that



“All persons employed in the care and management of the canals, except collectors of tolls, and those in the department of the State Engineer and Surveyor, shall be appointed by the Superintendent of Public Works, subject to suspension or removal by him.”

(Cons. section 3, article 5.)

It may be well to observe in passing, that the same year an amendment to the Constitution was adopted, providing for a Superintendent of State Prisons, who should have the superintendence, management and control of all State prisons, and to whom was given the appointment of all the agents, wardens and chaplains of the prisons; and giving to the agents and wardens of each prison, the appointment of all officers of such prison, except the clerk; and further providing for the appointment of clerks of prisons, by the Comptroller.

(Cons. section 4, article 5.)

In 1883, the Legislature, by chapter 354 of the laws of that year, authorized the Governor, by and with the consent of the Senate, to appoint three persons who should constitute a Civil Service Commission. And it was made the duty of said commission “to aid the Governor, as he may request, in preparing suitable rules for carrying this act into effect.” It was further enacted that such rules should provide, amongst other things, “for open competitive examinations,” for testing the fitness of applicants for the public service, now classified, or to be classified hereunder.

Section 6 of such law provided that “Within four months after the present session of the Legislature it shall be the duty of the Governor to cause to be arranged in classes all the several clerks or persons employed or being in the public service, for the purpose of the examination herein provided for, and he shall include in one or more of such classes, as far as practicable, all subordinate places, clerks and officers in the public service of the State.”

Section 7 provided that, “After the termination of eight months from the expiration of the present session of the Legislature, no officer or clerk shall be appointed, and no person shall be admitted to or be promoted, in either of the said classes now existing, or that may be arranged hereunder pursuant to said rules, until he has passed an examination or is shown to be specially exempted from such examination in conformity herewith.

That section was amended by chapter 681 of the Laws of 1894, which amendment provided amongst other things as follows: “It shall be the duty of the said commission to certify to the Comptroller

the name of every officer, clerk or other person in the public service of the State, in either of said classes, appointed or employed therein in pursuance of law and of the rules and regulations made in pursuance of law, stating in each case the title or character of the office or employment, and the date of the commencement of service by virtue thereof; and, in like manner to certify to the Comptroller, the name of each officer, clerk or other person, in the public service of the State, in either of the said classes, appointed or employed therein in violation of law or of the rules and regulations made in pursuance of law; and to certify to the Comptroller, in like manner, every change occurring in any such office or employment forthwith, on the occurrence of the change. It shall be unlawful for the Comptroller to draw his warrant for the payment of any salary or compensation to any officer, clerk or other person in the public service of the State, in either of said classes, who is not so certified as having been appointed or employed in pursuance of law and of the rules and regulations made in pursuance of law."

It will be observed that the duty of classifying the various officers and employes of the State, and of making rules and regulations providing for the examination of candidates, and other details, is devolved upon the Governor of the State, and that he is to determine how far it is practicable to include in any classification the subordinate places, clerks or officers in the public service of the State. That the Civil Service Commission, so-called, is merely to aid him, as he may request, in the discharge of his duties; he is, in law, and in fact, the responsible head of the Civil Service of the State; he is not only to see that the laws are executed, but he is in addition, within the limitation of the Constitution and the acts of the Legislature, to make the laws, that is the rules and regulations, by which the Civil Service of the State is to be governed.

Pursuant to said act of 1883, the Governor of the State promulgated rules and regulations for the government of the Civil Service, and a classification of subordinate places, clerks and officers; included in the class subject to competitive examination were the subordinates of the Superintendent of Public Works, and of the Superintendent of State Prisons, and among others, clerkships of the kind to which the relator claims to have been appointed.

The power of the Legislature to make laws, and of the Governor and Civil Service Commission to make rules and regulations, which should subject appointees of the Superintendent of Public Works to examinations, and to limit his appointments to those who should pass



such examinations and be placed upon the eligible list of the Civil Service of the State, was challenged in the case of the People, ex rel. Killeen v. Angle, 109 N. Y. 564.

It was there held that it was the intention of the Constitution to confer upon the Superintendent of Public Works the power to select and appoint his subordinates "subject only to his sense of duty and the obligations of his oath of office," and that it plainly intended "to leave to the superintendent, exclusively, the determination of the propriety of such appointments, and the sufficiency of the qualifications possessed by proposed appointees. And that the provisions of chapter 354 of the Laws of 1883, and of the rules and regulations adopted by the Governor and Civil Service Commission, were limitations and restrictions upon such power of appointment by the Superintendent, which the Legislature had no power to impose, and that therefore his subordinates "did not come under the operation of the act creating the Civil Service Commission."

The principle of that decision applied as well to subordinates of the Superintendent of State Prisons, and of the agents and wardens of each prison, and to the clerks of such prisons to be appointed by the Comptroller.

It will be observed, however, that the Civil Service law was not declared unconstitutional as a whole, and it can hardly be said to have been declared unconstitutional at all, but simply that it did not and could not include within its limits certain classes of officers; as to all others, it remained upon the statute book a living and effective law, and so remained, with these exemptions from its provisions, down to the 1st of January, 1895.

The new Constitution adopted in 1894, contains the same provision as to the appointment of subordinates by the Superintendent of Public Works, as did the old Constitution. (See section 3, article 5.) It also contains, however, an entirely new section, being section 9, of article 5, reading as follows: "Appointments and promotions in the Civil Service of the State, and of all the civil divisions thereof, including cities and villages, shall be made according to merit and fitness, to be ascertained, so far as practicable, by examinations, which so far as practicable, shall be competitive; provided, however, that honorably discharged soldiers and sailors from the army and navy of the United States in the late civil war, who are citizens and residents of this State, shall be entitled to preference in appointment and promotion, without regard to their standing on any list from which such appoint-



ment or promotion may be made. Laws shall be made to provide for the enforcement of this section.

It is contended by the relator that the same language being used in the present Constitution as in the old, that the same interpretation should be given; while, on behalf of the Comptroller, it is contended that the power of appointment given by section 3 to the Superintendent of Public Works is limited by the provisions of section 9 of the same article.

This conflict makes necessary both an interpretation and a construction of the Constitution as it now is. Some discussion has been indulged in as to whether the present Constitution is a new Constitution or an amended one. To me it seems to be a matter of little consequence whether we consider the present Constitution as an entirely new instrument, coming into existence January 1, 1895, or whether we consider it as an amended Constitution; in either event the same rules of construction will govern, for it has been held "that an amended constitution must be read as a whole and as if every part had been adopted at the same time, and as one law, and effect must be given to every part of it, each clause explained and qualified by every other part."

People *ex rel.* Killeen *v.* Angle, 109 N. Y. 564-75.

The first rule in interpreting and constructing a constitution is to give to it the effect and meaning by its framers, and by the people who adopted it. And the first rule for ascertaining what that intent and meaning was, is, that is to be gathered, if possible, from the plain and ordinary meaning of the words used.

"In the construction of constitutional provisions, the language used, if plain and precise, should be given its full effect, and we are not concerned with the wisdom of their insertion. As adopted by the people, the intent is to be ascertained, not from speculating upon the subject, but from the words in which the will of the people has been expressed. To hold otherwise would be dangerous to our political institutions. The Constitution is the basis upon which rests that complicated social organization called the State. It must be presumed that its framers understood the force of the language used, and, as well, the people who adopted it. \* \* \* The latitude allowed in the construction of legislative acts is out of place, and would be unwise, when interpreting the fundamental law. Legislation aims at arranging the mechanism of the State for the benefit of its members, and the question of intention, necessarily, is often of

great importance and must be open to judicial inquiry ; but the Constitution, which underlies and sustains the social structure of the State, must be beyond being shaken or affected, by unnecessary construction, or by the refinements of legal reasoning. We may be compelled to have resort to such in the presence of contradictions or of meaningless clauses, but not otherwise."

The People v. Rathbone, 145 N. Y. 434-38.

Let us turn to the language of the Constitution. "Appointments and promotions in the Civil Service of the State, and of all the civil divisions thereof, including cities and villages, shall be made," etc. This language is general, and in itself contains no limitations or restrictions, and is apt language to cover all appointments under the State government without any exception, and "we are not at liberty to presume that the framers of the Constitution and the people who adopted it did not understand the force of language."

The People v. Purdy, 2 Hill, 31.

Standing alone there would be no question but that, under the language of section 9, article 5, just quoted, was included appointments of the kind in question, but we must not lose sight of the rule of construction that all parts of a constitution must be construed together.

Section 3 of article 5 confers upon the Superintendent of Public Works the power of appointing his subordinates, and, as we have seen, the court of last resort, in construing the same language in the old Constitution, held that that was an untrameled and unrestricted power.

The relator has invoked the rule that, "Where a clause of a constitution, which has received a settled judicial construction is adopted in the same words by the framers of another constitution, it will be presumed that the construction thereof was likewise adopted."

Black's Const. Law, 68.

Thus, these two sections are brought into apparent conflict and one of the conditions arises, mentioned in the case of the People v. Rathbone, where we are compelled to resort to construction ; and when we are, the same rules apply as in construing a statute.

"The intent of the lawmakers is to be sought for. And when it is discovered it is to prevail over the literal meaning of the words of any part of the law. And its intent is to be discovered, not alone by considering the words of any part, but by ascertaining the general purposes of the whole, and by considering the evil which existed calling



for a new enactment, and the remedy which was sought to be applied."

People *ex rel.* Jackson *v.* Potter, 47 N. Y. 375.

While it is true as a general proposition, as stated above, that where a clause from a former constitution is adopted in a new constitution, it is to be given the same construction as was formerly given to it, still I think that rule is subject to limitations and restrictions. All parts of the Constitution are to be read together, and a construction given that will harmonize the several parts with each other, and in construing a clause of it taken from a pre-existing constitution we must see whether there are any provisions in the new Constitution different from those from which the clause in question was taken, and which must be read in connection with it, and whether they in any way enlarge, modify, limit or restrict its meaning.

Where the new Constitution contains some provisions of the old, and some that are new, I apprehend that in construing such provisions the same rules of construction must govern as apply to amendments to a constitution.

In giving construction to the provisions of the Constitution, its history and the conditions and circumstances attending its adoption must be kept in view, and the effect of subsequent amendments are to be determined by the same rules, applicable to the interpretation of statutes.

Sweet *v.* City of Syracuse, 129 N. Y. 316-30.

We must examine the history of the Constitution and the laws as they previously existed, and the evils, if any, that were intended to be cured by such new provisions.

We have examined somewhat the history of the law as it existed prior to January 1, 1895, when the new Constitution went into effect. It is to be presumed that in framing the Constitution the convention had in view the then existing laws.

People *v.* Rathbone, 145 N. Y. 435-38.

Under the old Constitution, subordinate clerks, officers and employes in the Civil Service of the State were appointed to, and held their positions under radically different laws, some under a law providing for appointments based upon fitness and merit to be ascertained by examination, while the subordinates in the great Department of Public Works and in the State prisons of the State, embracing a large proportion of all the appointees in the Civil Service of the State, were



wholly exempt from any such test. This anomalous condition of the public service under the law, of course, was known to the framers of the Constitution.

We must also assume that they knew that the Legislature had passed a law with the intention of making all subordinate clerks, officers and employes in the Civil Service, subject to Civil Service regulations ; that it was the apparent intent of such law to include, and its language was sufficient to include, subordinates of the Superintendent of Public Works, and of State prisons.

That the Governor of the State so understood the intent of that law and classified the subordinates and appointees in such departments, and that the court of last resort held that under the Constitution the Legislature had no power to subject such subordinates and appointees to any such classification, because the same was a limitation upon and a restriction of the power of appointment conferred by the Constitution upon the superintendents of such departments. Bearing these things in mind, it would seem from a reading of these sections of the Constitution, that the framers thereof intended by section 9 to limit or modify the power of appointment conferred by section 3, and that the power of appointment conferred by section 3 is to be exercised, subject to the principles declared in section 9.

If, however, these considerations are not sufficient to render the meaning and intent of the Constitution entirely clear, there are other methods of arriving at the meaning of its framers and of the people who adopted it, to which we may resort, and those are receding and considering the proceedings and debates of the convention which framed the instrument under consideration.

The proceedings of a convention are not always to be relied upon to determine the intent with which any portion thereof was adopted. Different members of such convention may have diverse reasons for voting for its adoption ; and it is sometimes impossible to find from such proceedings that the members united upon any single reason, or had a common interest concerning such clause in the Constitution.

Legal Tender Cases, 110 U. S. 421-43.

Still the proceedings of constitutional conventions have always been resorted to by the courts, not as conclusive and binding upon them, but as persuasive aids to assist them in determining the true intent and meaning of the instruments framed by such conventions.

“One mode of construing the Constitution is to take the Constitu-

tion as we find it, without reference to the manner in which its different parts were prepared and adopted; another is to look at the proceedings of the convention, and endeavor thereby to discover the probable intention of the framers of the Constitution, as we now find them. In either case we must also look at the actual state of things which existed when the Constitution was framed and adopted."

Clark v. The People, 26 Wend. 599.

People v. Purdy, 2 Hill, 31.

And, "where the proceedings point out the purposes of the provisions, the aid will be valuable and satisfactory."

Cooley's Cons. Lim., 3 Ed. 66.

Turning then to the proceedings of the convention, we find that section 9, when first reported from the committee having it under consideration, read as follows: "Appointments and promotions in the Civil Service of the State, and of cities, shall be made according to merit and fitness, to be ascertained by examination, which, so far as practicable, shall be competitive. Laws shall be made to provide for the enforcement of this section.

The gentleman having it more particularly in charge for the committee, Mr. Gilbert, in opening the debate upon the question of its adoption, after discussing the principle of appointment to, and promotions in the Civil Service, upon merit to be ascertained by examinations, said: "This principle as the Constitution now stands can not be applied to public works and to State prisons. The Court of Appeals has so held in respect to one of those departments, and the principle which applies to one will apply with equal force to the other. So that the committee, and a very large number of petitioners of high character, \* \* \* all concur in this, that we want the principle incorporated into the Constitution, and we want to provide for its application in State prisons and in the public works, as well as in the other departments of the State." (Pages 2438-39, Proc. of Con.)

And when the subject was again under discussion, the same gentleman stated: "The Court of Appeals has held that appointments can not be made in the prison service and in the public works service under the rules of the Civil Service. The case came up as to one of them, but the same reason that applied to that one obtains as to the others. So that I may say that under the law as it now stands, and under the Constitution as it now exists, the Civil Service rules can



not be applied to the prison service or to the public works service. I think that is reason enough for the passage of the main proposition." (Pages 2552-53.)

Mr. Root said: "As the matter stands to-day, the court of last resort has ruled that the principle of Civil Service can not be applied to the important positions in the State prisons and public works department, and the effect of this amendment will be to extend this reform to State prisons and canals." (Page 2559.)

Mr. Lauterbach said: "In behalf of regularity and order in the appointment of the State prison officials and others, as to whom our attention was called during the process of the investigation by the charities committee, I think it would be a serious error on the part of this convention, if, owing to any flippant spirit in which the matter has been considered, or on account of some local interest that might be prejudiced, we go to the people from this convention while our party has announced itself in favor of Civil Service reform, that in this convention, upon a trivial excuse that was presented, we voted it down." (Page 2561).

Much discussion was had in the convention over the proposition to amend the section as presented to the convention, so as to extend its provisions to all the civil divisions of the State, "including cities and villages," and over that portion thereof, which was finally adopted referring to honorably discharged soldiers and sailors; but no where do I find that any opposition was made to extending the operations of the Civil Service Law to the canals or public works department and the State prisons of the State, or any answer made to the arguments of Mr. Gilbert or Mr. Root in favor of adopting the proposed section in order that such departments might be subjected to the operations of the Civil Service Laws.

After the convention had adopted the Constitution as a whole, it adopted and issued an address to the people explaining its work and the different new provisions of the proposed Constitution. Among other things, that address contained the following:

"10. We have declared in the Constitution the principle of Civil Service Reform, that appointments and promotions are to be based upon merit, and ascertained, so far as practicable, by competitive examination. We sought by this to secure not merely the advantage derived from declaring the principle, but the practical benefit of its extension to the State prisons, canals and other public works of the



State, to which, under the existing Constitution, the court of last resort has decided that Civil Service rules can not be applied" (Proceedings of Cons. Con., page 2683.)

I, therefore, take it that the convention had, as to such departments, "a common intent," and intended, by adopting the section in question, to bring the subordinates of the Superintendent of Public Works and of the Superintendent of State Prisons within the operation of the Civil Service Law, and by the language used intended to, and supposed they had, modified the effect of the language used in sections 3 and 4 of article 5, in reference to appointments to be made by the Superintendents of Public Works, and of State Prisons, and had nullified the effect of the decision in the case of *The People, ex rel. Killeen v. Angle*.

It seems to me, therefore, that in reading section 3 in connection with section 9, and considering the language used, the history and condition of the law as it was under the old Constitution, taken in connection with the proceedings in the constitutional convention, that it was the plain intent of the framers of the Constitution, and of the people who adopted it, that all appointments in the Civil Service of the State should be made according to merit, to be ascertained, so far as practicable, by examination, and that they intended to extend that principle so as to include the subordinates and appointees of the Superintendents of Public Works and of State Prisons; and that the power of appointment conferred upon the Superintendent of Public Works by section 3 was intended to be subject to the principles and limitations contained in section 9.

The relator contends, however, that section 9 is not self-executing, and that there has been no legislation to enforce it; that the section itself in terms recognizes the fact that legislation is needed to put it in force, by the clause, "laws shall be made to provide for the enforcement of this section," and that until new laws are made to enforce its provisions, the section in question is of no force and effect, and that appointments are to be made as before its adoption.

The same contention was made in the *Matter of Sweeley*, 12 Misc. Rep. 174 (affirmed in the Court of Appeals, not yet reported), and it was there held that pre-existing Civil Service Laws were continued, and that the then relator was subject to them. This case, perhaps, presents the case in a little different aspect. There it was held that the law under which the then relator sought appointment had been abrogated by the new Constitution, and that there being other laws upon the

statute books not in conflict with the new Constitution, which were applicable to the relator's case, that no new legislation was necessary.

It is said that such a construction renders unnecessary and meaningless the clause, "laws shall be made to provide for the enforcement of this section." I think that is a mistaken view, for full force and effect can be given to that clause without holding that it is necessary to re-enact all the Civil Service Laws of the State. When we consider, as before stated, that the framers of the Constitution are presumed to have known the laws of the State, and if they did, they must have known that they did not extend to "all the civil divisions thereof, including cities and villages," and that to give full force and effect to that section of the Constitution, additional laws would have to be passed extending and enlarging the existing Civil Service Laws of the State.

But enough law is already in existence to enforce the provisions of the Constitution as to the Department of Public Works, to determine this case. As before stated, all parts of the Constitution are to be read together, and the sections under consideration must be read in connection with section 16 of article 1, which provides, amongst other things, as follows: "Such acts of the Legislature of this State as are now in force shall be continued the law of this State, subject to such alterations as the Legislature shall make concerning the same; but all parts of the common law, and such of the said acts or parts thereof as are repugnant to this Constitution, are hereby abrogated."

And in construing the Constitution in connection with pre-existing laws, "we must keep in mind that the Constitution was not framed for a people entering into a political society for the first time, but for a community already organized, furnished with legal and political institutions, adapted to all or nearly all the purposes of civil government." And that it was not intended to abolish these institution, except so far as they were repugnant to the Constitution then framed.

People v. Draper, 15 N. Y. 532.

The members of the constitutional convention being assumed to know the nature and effect of then existing laws, and having provided for their continuance, where in harmony with the new Constitution, we must also assume that they depended upon them to carry into effect the details of the Constitution, being supplemented by such new legislation as should be necessary.

The Civil Service Laws of the State are in harmony with the present



Constitution ; they are therefore of the same force and effect as if they had been passed after the present Constitution took effect, and can be used, as far as they go, to enforce its provisions.

It is also claimed on behalf of the relator, that assuming that it was intended by section 9 to bring the appointees of the Superintendent of Public Works within the provisions of the Civil Service Law, and admitting that the Civil Service Laws are continued in force, that there is still necessity for legislation to bring him within their provisions. To support this contention he relies upon that portion of section 9 in question, which says that the merit and fitness of appointees "shall be ascertained, so far as practicable, by examination." And his contention is that it is necessary for the Legislature to determine whether it is practicable to ascertain the merit and fitness of appointees under the Superintendent of Public Works by examination, and that, until such determination is made, that there is no means of enforcement as to that department, the principles of section 9.

I do not think this contention can prevail. While probably the Legislature has the power under this section to determine what officers and appointees it is practicable to classsify under the Civil Service, and in what cases it is practicable to ascertain the fitness and merits of candidates for positions by examination, still I do not think that it is necessary for the Legislature to act in that respect in order to enforce the application of section 9 to the Department of Public Works, because there was, when the Constitution was framed and adopted, a statute in existence which authorized and directed the Governor of the State to determine what subordinate places in the service of the State it was practicable to classify and subject candidates to for examination.

It has been said that a constitution is "to be held to be prepared and adopted in reference to existing statutory laws, upon the provisions of which in detail it must depend to be set in practical operation."

People *ex rel.* Jackson, v. Potter, 47 N. Y. 375-80.

The statutes in existence at the time when the present Constitution was adopted, authorized the Governor to determine how far it was practicable to test the merit and fitness of candidates for subordinate places in the public service, by examination ; and the rule that holds that constitutions are "prepared and adopted in reference to existing



statutory laws," and in reliance upon their details to set them into practical operation, is much strengthened in this case by the similiarity in meaning of the language used in the section of the Constitution under consideration, to that used in the Civil Service Law. Let us compare the language used in each. The Constitution provides that appointments and promotions in the Civil Service of the State, etc., "Shall be made according to merit and fitness, to be ascertained, so far as practicable, by examinations, which, so far as practicable, shall be competitive."

The Civil Service Law (chapter 354 of the Laws of 1883), makes it the duty of the Governor, with the aid of the Civil Service Commission, to prepare rules and regulations, which shall provide, amongst other things, "As nearly as the conditions of good administration will warrant, \* \* \* for open, competitive examinations for testing the fitness of applicants for the public service, now classified, or to be classified hereunder."

And again, in section 6 of said act, it is made the duty of the Governor to "cause to be arranged in classes of the several clerks and persons employed or being in the public service, for the purposes of the examination herein provided for, and he shall include in one or more of such classes, so far as practicable, all subordinate places, clerks and officers in the public service of the State."

Where the language used in the Constitution and in a previously existing statute is so nearly similar in meaning, it seems to me that we can well say that the framers of the Constitution had such statute in view, and relied upon it to enforce the provisions of that portion of the Constitution under consideration.

The Governor has acted under the power conferred upon him by the statute, and had determined that it is practicable to test the merit and fitness of candidates for positions in the Department of Public Works by examination; for it appears in the papers before me, on this application, that after the adoption of the Constitution, and on the 15th day of April, 1895, the Governor, with the aid of the Civil Service Commission, made a classification of the positions in the Departments of Public Works and State Prisons of the State, and that under such classification, the position of clerk to the collector of canal statistics was included in what is known as Schedule B, and that all appointments required to be made in the positions classified in Schedule B are to be made by selection from those persons graded highest as the result of open competitive examinations. And it also appears that at the time of the appointment of the relator to the position in question,

there were eighty-eight persons upon what is known as the "eligible list" in Schedule B, who were eligible for appointment as clerks to the collectors of canal statistics.

It follows from what I have said that the Superintendent of Public Works should have made his appointments of clerks to the collectors of canal statistics from the eligible list just referred to; that the appointment of the relator was in violation of the Constitution and of the Civil Service Laws of the State, and that his application for a mandamus must be denied.

Motion for a mandamus denied, not as a matter of discretion, but as matter of law, without costs.

NOTE. — This decision was affirmed by the General Term of the Supreme Court for the Third Department, December, 1895, on the opinion of the court below. Reported in 91 Hun 101. The decision was also affirmed by the Court of Appeals, the opinion being printed in full below.

THE PEOPLE OF THE STATE OF NEW YORK *ex rel.* JOHN WILLIAM McCLELLAND, *Appellant*, v. JAMES A. ROBERTS, *Comptroller*, *Respondent*.

Court of Appeals, February 18, 1896.

(148 N. Y. Rep. 360.)

THE CIVIL SERVICE ACT.—The Civil Service Act (chap. 354, Laws of 1883, as amended by chap. 681, Laws of 1894) constitutes a general system of statute law applicable to appointments and promotions in every department of the Civil Service of the State, with such exceptions only as are specified in the statute itself.

THE CIVIL SERVICE ACT—CONSTITUTION OF 1894—DEPARTMENT OF PUBLIC WORKS.—The effect of the provision of the Constitution of 1894 (art. 5, sec. 9), that "appointments and promotions in the Civil Service of the State \* \* \* shall be made according to merit and fitness, to be ascertained, so far as practicable, by examinations, which, so far as practicable, shall be competitive" is to subject to the operation of the Civil Service Act appointments in the Department of Public Works of the State all persons to be employed in the care and management of the canals, notwithstanding the constitutional provisions (art. 5, sec. 3) vesting the power of appointment and removal of such persons in the Superintendent of Public Works.

THE CIVIL SERVICE ACT—CONSTITUTION OF 1894—SUPERINTENDENT OF PUBLIC WORKS.—The decision in *People ex rel. Killeen v. Angle* (109 N. Y., 564), to the effect that the Legislature could not restrict or qualify the power of appointment and removal vested by the Constitution in the Superintendent of Public Works, and, consequently, that the Civil Service Act did not apply to the exercise of that power, has been superseded by the Civil Service section of the Constitution of 1894.

THE CIVIL SERVICE ACT—CONSTITUTION OF 1894.—The Civil Service section of the Constitution of 1894 is not rendered non-self-executing by the provision therein that "laws shall be made to provide for the enforcement of this section;" but the effect of the section, in connection with the constitutional provision (art. 1, sec. 16), that "such acts of the Legislature of this State as are now in force shall be and continue the law of this State, subject to such alterations as the Legislature shall make concerning the same," is to bring all positions in the Civil Service, not excepted by the statute, within the operation of the Civil Service Act of 1883 and its amendments, without re-enactment.



DEPARTMENT OF PUBLIC WORKS—CIVIL SERVICE COMMISSION—PAYMENT OF SALARY BY COMPTROLLER.—When a position in the Department of Public Works of the State has been classified by the Civil Service Commission, in pursuance of the Civil Service Act, as one subject to competitive examination, a person appointed to such position by the Superintendent of Public Works, subsequent to the taking effect of the Civil Service section of the Constitution of 1894 and to such classification, is not entitled to a mandamus to compel the State Comptroller to pay him the salary attached to such position, in the absence of a certificate from the Civil Service Commission that he had been duly appointed pursuant to the Civil Service Act.

Appeal from order of the General Term of the Supreme Court in the Third Judicial Department, made December 3, 1895, which affirmed an order of Special Term denying a motion for a writ of peremptory mandamus.

The facts, so far as material, are stated in the opinion.

*Myer Nussbaum*, for appellant.

*Matthew Hale*, for respondent.

O'BRIEN, J.: The relator, in the month of April, 1895, was appointed to the position of clerk to the collector of canal statistics by the Superintendent of Public Works of the State at a salary of \$65 per month. When he applied for his monthly compensation, the defendant, as Comptroller of the State, refused to audit or pay the same, and the relator, thereupon, applied for a peremptory writ of mandamus, to be directed to the Comptroller, commanding him to draw his warrant for the payment of the claim. The application for the writ was denied, and the order denying the same affirmed at General Term.

The only question involved in this appeal is whether, upon the undisputed facts disclosed upon the application, the relator was entitled to the writ. It is admitted that the relator was appointed to the position without having passed the Civil Service examination, and that his name has never been certified to the Comptroller by the Civil Service Commission, and it was for that reason that the Comptroller refused to pay the claim.

The legal question thus presented has been so fully and ably discussed in the courts below that we feel relieved from the necessity of much further argument in support of the conclusions there indicated. Indeed, there is very little further to be said upon the important and interesting subject which is involved in the controversy beyond a brief statement of the grounds upon which we think the order below should be sustained.



The statute of this State, commonly known as the Civil Service Law (chap. 354, Laws of 1883, as amended by chap. 681, Laws of 1894), not only required that clerks and other subordinates in the Civil Service of the State should be appointed or selected from lists, constituted as therein provided, after competitive examination, but that it should be unlawful for the Comptroller to pay the compensation of any clerk in the Civil Service who had not been appointed pursuant to the provisions of the law and whose name had not been certified to him by the Civil Service Commission. It is not necessary to subject these statutes to a very close analysis in order to determine the general purpose and policy of the Legislature with reference to appointments and promotions in the Civil Service. It is too plain for argument that these enactments require appointments to be made from the Civil Service lists, made up in the manner indicated in the statute and in the rules formulated by the Commission under the authority of the law; and, in order to insure obedience to the system on the part of the appointing power, the chief financial officer of the State was prohibited from making payment to any clerk of his salary or compensation who had not been appointed as required by the law. It is quite clear, also, that the Civil Service statutes constitute a general system of statute law applicable to appointments and promotions in every department of the Civil Service of the State, with such exceptions only as are specified in the statute itself. It was held in the case of *People ex rel. Killeen v. Angle*, 109 N. Y. 564, that the law could not apply to the Department of Public Works for the reason that the Constitution, as then in force, vested in the head of that department the exclusive power and duty of appointment and removal, and that any restriction upon such power imposed by the Legislature, through the Civil Service Act, was inoperative. That case did not hold that the Civil Service Act, or any part of it, was unconstitutional. The power of the Legislature to enact the law, as it appears on the statute book, has never been doubted or questioned, and the only point raised in that case was with respect to its application to a particular department of the State government under the Constitution as it then existed, and it was held that, notwithstanding the general language and scope of the act, and the purpose of the Legislature in enacting a general law, without excluding any department from its operation, the law could not reach the Superintendent of Public Works, for the reason that the words of the Constitution would not

permit it. If the fundamental law which governed the question then before the court is the same now as it was then, it is quite clear that the order in this case should be reversed, since the same question is involved. But it is apparent that the Constitution has been changed in such a manner as to include within the scope and operation of the Civil Service Law just such a case as this court then held to be beyond its application. This clearly appears, not only from the plain words since incorporated into the Constitution, but from the debates on the subject in the recent Constitutional Convention. The new or amended and revised Constitution of this State, adopted by the people in 1894, and which went into effect on the 1st day of January, 1895, has superseded the decision in the case of the *People v. Angle* (*supra*). It is quite true that the identical words of article 5, section 3, upon which that decision turned, are still in the Constitution. Instead of changing the language or arrangement of the different provisions of that article, the convention adopted and the people have inserted and added an entirely new section, which reads as follows:

“Appointments and promotions in the Civil Service of the State, and of all the civil divisions thereof, including cities and villages, shall be made according to merit and fitness, to be ascertained, so far as practicable, by examinations, which, so far as practicable, shall be competitive. \* \* \* Laws shall be made to provide for the enforcement of this section.” (§ 9.) The provisions of the article with respect to the powers and duties of the Superintendent of Public Works in the appointment and removal of persons employed in the care and management of the canals, which were under consideration in the case of the *People v. Angle*, must now be read and understood in connection with this new section, and, reading them all together, there can be little doubt that the obstacles then found to exist to the full operation of the Civil Service Law in every department of the State government have been entirely removed. (*In re Smith v. Supervisors*, 148 N. Y. 187, 193.) That such was the intention of the convention that framed and adopted the amendment is clear beyond all question. If anything in support of this view is wanting, beyond the broad and comprehensive words of the amendment itself, it will be found in the debates on this subject in the convention, in which the intention of that body was declared in the most explicit terms, to bring every department of the government within the operation of the law by such a change in the Constitution as would meet and obviate



the difficulties pointed out by this court in the case referred to. The declared views in favor of that course by some of the leading members of the convention are to be found in the learned opinion below, and the whole discussion on the question leaves no doubt of the intention to remove every constitutional objection to the full operation of the law, and to its application to all appointments in the Civil Service in all the public departments of the State. There was no provision in the Constitution of 1846, or in any of its numerous amendments, requiring appointments in the Civil Service to be made according to a general system based upon a merit and fitness to be ascertained by competitive examinations under public authority. That is a conception of comparatively recent date with us, and a step in the line of administrative reform which had forced itself upon public attention, until it finally received practical approval and recognition by the passage of the act of 1883. The operation of that act, the obstacles in the way of its general application, as well as the general merits and advantages of the system to the public service, were all familiar to the members of the convention of 1894, called to revise the Constitution, and it can not be doubted that the intention was not only to permit, but to require, its general application to appointments in all departments. This result has been effectually accomplished by the adoption of a new provision in the fundamental law. The principle that all appointments in the Civil Service must be made according to merit and fitness, to be ascertained by competitive examinations, is expressed in such broad and imperative language that in some respects it must be regarded as beyond the control of the Legislature, and secure from any mere statutory changes. If the Legislature should repeal all the statutes and regulations on the subject of appointments in the Civil Service the mandate of the Constitution would still remain, and would so far execute itself as to require the courts, in a proper case, to pronounce appointments made without compliance with its requirements illegal.

It is, therefore, apparent that a new principle, far reaching in its scope and effect, has been firmly imbedded in the Constitution. Like many other reforms, this work has not been accomplished without a long and persistent struggle. The friends and the opponents of the measure have debated its merits and the difficulties in the way of its practical and harmonious operation before the public for years. The considerations which entered largely into this debate are no longer



pertinent, since the principle has become an accomplished fact and placed by the people beyond the possibility of any substantial change in a contrary direction. This court, upon more than one occasion, has, with entire unanimity, expressed its approval of the principle, and exercised all of its powers in every proper case in aid of all laws intended to carry out the idea which was always at the foundation of the question. (Rogers v. Common Council of Buffalo, 123 N. Y. 173; Peck v. Belknap, 130 N. Y. 394; *In re Keymer*, 148 N. Y. 219.) Whatever doubt or distrust may exist with respect to the possibility of obtaining for the law an honest and fair execution, there is none and can be none, at least among thinking men, with respect to its ultimate beneficial effects upon the service. That it must, if fairly and honestly administered, go far to suppress very grave evils and abuses that have become peculiarly rife and active in our political system few intelligent people who have given the subject much attention can doubt. In so far as its administration may depend upon the action of the judicial department, it is entitled to, and doubtless will, receive a fair and liberal construction, not only according to its letter, but its true spirit and the general purpose of its enactment. The Constitution, as it now exists, must be read and considered in all its different parts, and each provision must be given its appropriate place in the system and some office to perform, and at the same time all must be so construed as to operate harmoniously. The application of these familiar rules of constitutional construction removes all doubt or difficulty with respect to the question under consideration, and the conclusion must follow that, while the power of appointment and removal is still with the Superintendent of Public Works, it is subject to legislative regulation as to the mode and manner, and is brought within the operation of general laws on that subject.

There is another question in the case which is pressed with much vigor by the learned counsel for the relator. He contends, as I understand his position, that the new section of the Constitution referred to contemplated the enactment of appropriate laws to carry it into effect, and that, since the Civil Service Act of 1883 and its amendments did not, and, when passed, could not apply to the Department of Public Works, they can not now be made to operate upon the appointments of public officers formerly beyond the power of legislative regulation. In other words, that the new section of the Constitution is not self-executing, and, as the Civil Service Law has not been re-enacted since the change or any other legislation supplied,

there is now no law or regulation applicable to the relator's appointment save the will of the superintendent himself.

We do not think that this contention is at all tenable. The act of 1883 and its amendments constitute a general system in terms applicable to the whole service. It is not limited to any particular department, but is broad enough to embrace all. Statutes of this character, framed in general terms, apply to new cases as they arise from time to time, that fall within their general scope and policy. Since the enactment of the Civil Service laws new offices have been created, to which the power to appoint subordinates attached, but it can not be doubted that this power, when given, came within the operation of all general regulations on the subject. A general law may, and frequently does, originate in some particular case or class of cases which is in the mind of the Legislature at the time, but, so long as it is expressed in general language, the courts can not, in the absence of express restrictions, limit its application to those cases, but must apply it to all cases that come within its terms and its general purpose and policy. So, a general law, when passed, may be incapable of application to certain cases within its general scope and policy by reason of the existence of other and conflicting enactments of equal or higher authority, but when the latter are repealed or modified, the general law is given full operation. In the present case it will be observed that there is nothing in the Civil Service Act indicating any intention to exclude any department from its operation. On the contrary, it was manifestly intended to have general operation and not, until the decision of the courts in *The People v. Angle*, was it understood to be inapplicable to the Department of Public Works. The section of the Constitution with which it was then found to be in conflict, and which had the effect to suspend its operations as to that department, having been since modified in such a manner that both the organic law and the general statute are in harmony, each expressing the same general policy and directing the same thing to be done, the suggestion that in order to make the general law operative upon this case, the Legislature must re-enact it, has no reasonable or just foundation, and, so far as I am aware, is not sustained by authority.

Moreover, it is evident from the language of the new provision of the Constitution and from the debates in the convention which followed its introduction into that body, that it was framed and adopted



with reference to existing laws, which was intended to give to it immediate practical operation. So that in adopting the new Constitution, the people, in their original capacity, decreed that, thereafter, all the departments of the government should be brought within the operation of existing laws on the subject of appointments. The mandate to the Legislature to enact laws to provide for the enforcement of the section does not in any degree conflict with this view. That was a prudent and proper, though, perhaps, an unnecessary precaution. But it affords no ground for the inference that the people intended to ignore the aid and utility of existing laws to give immediate practical effect to the principle, or that they were content to wait for the reform until the Legislature should make new regulations on the subject. It was the intention to put all the new provisions of the Constitution into operation through the instrumentality of such laws as were then in force, so far as practicable, and if, in practice, they were found to be in any respect insufficient for that purpose, they were to be replaced or supplemented by new ones. This view does not depend entirely upon construction, since the instrument itself contains an express provision on that subject. The people declared in section 16 of article 1 that, "Such acts of the Legislature of this State as are now in force shall be and continue the law of this State, subject to such alterations as the Legislature shall make concerning the same; but all such parts of the common law, and such of the said acts, or parts thereof, as are repugnant to this Constitution, are hereby abrogated.

If the act of 1883 or any of its amendments needed new life and vigor, in order to bring this case within their operation, it has thus been given to them by an authority from which even the Legislature itself has derived all of its powers. All these questions, and others of a minor character, have been so thoroughly examined in the court below, upon the hearing at the original application, that in our opinion further discussion is unnecessary.

Our conclusion is that, since it appears that the position to which the relator was appointed had, prior to that time, been classified by the Civil Service Commission, in pursuance of the statute, as one subject to competitive examination, and as the Commission had not certified to the Comptroller that he had been lawfully appointed, but, on the contrary, refused the certificate, his application for the writ of mandamus was properly denied, and that the order appealed from should be affirmed with costs.



MARTIN, J. (dissenting): That chapter 354 of the Laws of 1883, so far as it related to the Department of Public Works, was held by this court to be unconstitutional and void in the Killeen case (109 N. Y. 564), is manifest from the opinion, and admitted by the respondent. If this statute was unconstitutional, and consequently void when passed, so far as it applied to that department, I am unable to agree to the proposition that the constitutional amendment which went into effect January 1, 1895, revived or infused new life into it and rendered it valid. It makes no difference that it was only void in part, for so far as it was void it had no effect, and could not be rendered valid except by re-enactment. Judge Cooley, in his work on Constitutional Limitations, at page 188, says: "When a statute is adjudged to be unconstitutional, it is as if it had never been. Rights can not be built up under it, contracts which depend upon it for their consideration are void; it constitutes a protection to no one who has acted under it, and no one can be punished for having refused obedience to it before the decision was made. And what is true of an act void *in toto* is true also as to any part of an act which is found to be unconstitutional, and which, consequently, is to be regarded as having never at any time been possessed of any legal force." That language was quoted and approved by this court in *Chenango Bridge Co. v. Paige* (83 N. Y. 178, 191). (See Endlich on Interpretation of Statutes, § 538; *Meagher v. The County of Story*, 5 Nev. 244, 250; *Sumner v. Beeler*, 50 Ind. 341, 342; *Woolsey v. Dodge*, 6 McLean, 142; *Astrom v. Hammond*, 3 McLean 107, 110; *Strong v. Daniel*, 5 Ind. 348; *Clark v. Miller*, 54 N. Y. 528, 532.) The statute of 1883, having been declared unconstitutional and void so far as it affected the Department of Public Works, was invalid and had no existence so far as it related to that department. To that extent it was as if it had never been enacted. It being so far void, I think the subsequent amendment infused no life into it as to that department. It was so held in *State v. Tuflly* (20 Nev. 427) and in *Opinions of Attorney-General of the State of New York for 1871* (p. 566). I am aware of no principle upon which it can be held that this statute became valid by the subsequent constitutional amendment, unless the amendment was self-executing. That it was not seems manifest, as, after providing for Civil Service appointments and promotions, it expressly declares that "laws shall be made to provide for the enforcement of this section." This pro-

vision is inconsistent with and negatives the idea that the amendment was self-executing, or that it was intended to re-instate a statute already declared to be unconstitutional. The logic of the position that the Constitution, before it was amended, simply obstructed or suspended the statute of 1883 as to the Department of Public Works, and that the amendment removed the obstruction and leaves the statute in full force, is not apparent to me. That argument seems to me fallacious. If any constitutional obstruction existed which prevented the enactment of a statute including the Department of Public Works in the provisions of the Civil Service Act, it was so complete as to render the statute to that extent unconstitutional and void. As to the Department of Public Works, the statute was either valid or void. If valid, it could have been enforced when passed; if void, it could not, and the amendment effected no change that would render the statute valid.

Again, if it be said that the decision in the Killeen case was based upon the theory that the Legislature did not intend to include the Department of Public Works in the statute of 1883, because it would be in conflict with the Constitution, then the statute did not effect that department. If that was the intent of the Legislature, I know of no principle by which an amendment to the Constitution would breathe into that statute an intent which never existed.

If the Legislature never intended to pass such a statute, its intent must govern, and the statute of 1883, should not be regarded as applicable to the Department of Public Works. If it did intend to include that department, then it violated the Constitution and was so far null and void. Therefore, whatever view may be taken of the question, it seems to me that it can not properly be held that the statute is applicable to the Department of Public Works.

I think the judgment of the General and Special Term should be reversed.

All concur, with O'BRIEN J., for affirmance, except MARTIN, J., who reads for reversal; VANN, J. not voting.

Order affirmed.



THE PEOPLE OF THE STATE OF NEW YORK *ex rel.* FRED P. FONDA,  
*Appellant*, v. LEVI P. MORTON, CHARLES T. SAXTON, and HAMILTON  
FISH, Trustees of Public Buildings, and FREDERICK P. EASTON,  
Superintendent of Public Buildings, *Respondents*.

Court of Appeals, January 7, 1896.

(148 N. Y. Rep., 156.)

PUBLIC EMPLOYMENT—HONORABLY DISCHARGED SOLDIERS AND SAILORS—POWER OF REMOVAL—NOTICE AND HEARING.—The effect of the act giving a preference in public appointments and employments to honorably discharged Union soldiers and sailors, and making the appointees irremovable except “for incompetency and conduct inconsistent with” the positions held by them (chap. 312, Laws of 1884, as amended by chap. 716, Laws of 1894), is to leave it to the removing power to determine whether the facts exist which authorize a removal, subject to responsibility for any willful or perverse action; and no notice or opportunity to be heard is required to be given to the person whose removal is contemplated before the power can be exercised.

Appeal from order of the General Term of the Supreme Court in the Third Judicial Department, made May 24, 1895, which affirmed an order of the Special Term denying the relator’s motion for a writ of peremptory mandamus.

*Franklin M. Danaher*, for appellant.

*Henry C. Nevitt*, for respondents.

ANDREWS, Ch. J.: The relator, an honorably discharged Union soldier, was appointed on the 29th of January, 1888, an orderly in the capitol at Albany, at a salary of \$60 a month, and continued to act as orderly until the 28th of February, 1895, when he was discharged by the Superintendent of Public Buildings, with the approval of the trustees, consisting of the Governor of the State, the Lieutenant-Governor and the Speaker of the Assembly. His duties were to wash and clean floors and to act as policemen and guide in the capitol. After his discharge he applied for a peremptory writ of mandamus directing his reinstatement in his position, claiming that his discharge was unlawful. It appeared from the return to his application that he was discharged for cause, or, as stated therein, for “incompetency and conduct inconsistent with said position.” The relator, without denying the fact so alleged in the return, insisted, notwithstanding that, he was entitled to peremptory writ, and the fact so returned must be taken as true in this proceeding. The discharge of the relator was not preceded by formal charges or by notice to the relator, or an opportunity to be heard as to the cause of his dismissal. This presents the only question in the case, whether the relator was entitled to a notice and hearing



before he could be removed. By section 4, subdivision 3 of the Public Building Law, chapter 227 of the Laws of 1893, which was a substantial re-enactment of chapter 349 of the Laws of 1883, the Superintendent of Public Buildings is authorized, "subject to approval of the trustees, to appoint all persons necessary in the maintenance department of the public buildings and grounds under his charge, and suspend and remove any of them, and prepare rules and regulations for their government." In the appropriation bills passed by the Legislature in each successive year, commencing with 1886, there was inserted in the clause making an appropriation for the care of the public buildings, the salary of the superintendent, and the services of orderlies and watchmen and other expenses, a proviso that the orderlies and watchmen who should receive any portion of the money so appropriated "shall be persons who are citizens of the State of New York, and who served in the Union army or navy during the late war, and have been honorably discharged therefrom; and such honorably discharged persons shall not be subject to Civil Service rules of examination." (Laws of 1886, § 650.) If there was no other legislation affecting the present question, the right to discharge orderlies employed in the capitol, summarily, would admit of no question. The power to remove employes is given in express terms by the Public Building Act to the superintendent, with the approval of the trustees, without qualification; and even in the absence of such specific power, the rule is well settled that the power to appoint to the public service carries with it to the appointing power, in the absence of limiting words, or of a fixed term, the right to remove the appointee at pleasure.

People ex rel. Cline v. Robb, 126 N. Y. 180, and cases cited.

But the relator relies upon chapter 716 of the Laws of 1894, which was an act amending chapter 312 of the Laws of 1884, entitled "An act respecting the employment of honorably discharged Union soldiers and sailors in the public service of the State of New York," as containing a limitation upon the power of removal of Union soldiers and sailors employed in the public service, applicable to the position of the relator. The original act of 1884 related to preferences in public employment only, and declared that honorably discharged Union soldiers and sailors, not incapacitated and possessing the requisite qualifications, should be preferred for appointment and employment in the public departments and upon all public works of the State. This act

was amended by chapter 464 of the Laws of 1887 by extending it so as to subject cities, towns and villages to the same rule, and a section was added enjoining upon all officials and persons possessing the power of appointment, a faithful compliance with the act. The obligation to give preference was after the passage of the original act and the amendment of 1887, and cognate acts, sought to be enforced in the courts by Union soldiers, applicants for appointments to public office; among others by an applicant for the office of superintendent of public works of a village (*People ex rel. Lockwood v. Saratoga*, 54 Hun, 16); for employment as court crier (*People ex rel. Ballou v. Wendell*, 57 id. 362); for the office of village attorney (*People ex rel. Hall v. Village, etc.*, 29 St. Rep. 723); collector of taxes (*People ex rel. Stephens v. Ithaca*, 30 id. 52); health inspector (*People ex rel. Snyder v. Summers*, id. 614), and in other cases. These attempts generally failed. The relator in such an application could not show that he was entitled in preference to other Union soldiers, and the decision of the appointing power as to fitness, actual or relative, must generally, from the nature of the case, be final. This court, in *People ex rel. Griffin v. Lathrop* (142 N. Y. 113), had occasion to consider whether the act of 1884, giving preference in public employments to Union soldiers and sailors, limited the power of removal of a Union soldier, who held a public employment, and the court held that it affixed no restriction on this power, and in no way affected the power of removal, as it existed independently of the act. The amendment of 1894 for the first time introduced into the act a restriction on the power of removal of Union soldiers and sailors employed in the public service. The first section of the act of 1884 was amended so as to read as follows: "Section 1. In every public department and upon all the public works of the State of New York, and of the cities, towns and villages thereof, and also in non-competitive examinations under the Civil Service rules, laws or regulations of the same, wherever they apply, honorably discharged Union soldiers and sailors shall be preferred for appointment and employment; age, loss of limb or other physical impairment which does not in fact incapacitate, shall not be deemed to disqualify them, provided they possess the business capacity necessary to discharge the duties of the position involved. And in all cases the person having the power of employment or appointment, unless the statute provides for a definite term, shall have the power of removal only for incompetency and conduct inconsistent with the position held by the employe or appointee; and in case of such



removal or such refusal to allow the preference provided for in this act of and for any such honorably discharged Union soldier, or sailor, or marine, for partisan, political, personal or other cause except incompetency and conduct inconsistent with the position so held, such soldier, sailor or marine so wrongfully removed or refused such preference, shall have a right of action in any court of competent jurisdiction for damages as for an act wrongfully done, in addition to the existing right of mandamus; the burden of proving such incompetency and inconsistent conduct as a question of fact, shall be upon the defendant. But the provisions of this act shall not be construed to apply to the position of private secretary or deputy of any official or department, or to any other person holding a strictly confidential position." It is apparent that the legislation culminating in the act of 1894 has nothing primarily to do with what is called the Civil Service system. It was intended to create a privileged class entitled to preferential employment in subordinate positions in the public service, the foundation of the preference being meritorious service as soldiers and sailors in the war for the preservation of the Union. The original act, which provided for a preference only in the original appointment or employment, but gave no security of tenure, was supplemented in this respect by the amendment of 1894. The legislation as it now stands not only gives a preference in public appointments and employments to Union soldiers and sailors, but makes the appointees irremovable except upon the particular grounds specified. The removal clause was intended to prevent interference with their tenure for political or partisan or personal reasons. But the statute recognized the principle that incompetent persons, or those whose conduct was inconsistent with the discharge of their duties, should not be retained in the public service, however meritorious their prior service may have been. The statute operates as a limitation upon the power of removal, which must be observed by the officers or body having the appointing power, and it enacts special remedies for its violation.

In the present case the removal was made for the cause specified in the statute, and nothing appears upon the record tending to show that the power was not exercised in good faith and in the public interest. The claim that the relator was entitled to prior notice and hearing is not supported by any language in the act. If he was so entitled it results from some general rule of law implied from the fact that the power of removal was not unrestricted, but could only be exercised for the causes specified. It is important to notice the scope of such



an implication if it exists under the statute in question. The act applies to employes of every grade in the public service or on the public works of the State and the cities, towns and villages thereof. The preference is given not only in clerical or other subordinate positions, but to every person seeking public employment as a laborer on the canals or on the streets of a city, or in any capacity however humble. If employment once secured can only be terminated after a notice and hearing and something akin to a formal adjudication upon the evidence, the system would become almost intolerable. Many things difficult to define in words, which show incompetency in the employe or disregard of his duty, and which would justify dismissal in the mind of a reasonable employer, would often elude a formal investigation. There are many statutes on the statute book relating to the employment and removal of police officers, clerks and employes in municipalities, which expressly or by implication require that the power of removal shall only be for cause after notice and hearing of the person whose removal is contemplated. The practice of legislation in this State has been to insert a provision for notice and hearing when this has been intended. (City of New York Consolidation Act, chap. 335, Laws of 1873, § 25; Id., chap. 410, Laws of 1882, §§ 250, 272, 314; City of Brooklyn, Laws of 1888, chap. 583, § 29, tit. 22; City of Buffalo, Laws of 1870, chap. 559, tit. 13, § 3.)

The acts cognate to the act of 1894, viz., chapter 119 of the Laws of 1888 and chapter 577 of the Laws of 1892, restricting the power of removal of Union soldiers or sailors holding official employment in cities and counties, contain a provision that removals shall not be made "except for cause shown after a hearing had." In view of the course of legislation and the scope of the act of 1894, we are of opinion that the Legislature intentionally omitted to insert a similar provision in the statute in question.

We concur in the conclusion of the General Term that the Legislature having prescribed the grounds of removal in the act of 1894, left it to the removing power to determine whether the facts existed which authorized a removal, subject to responsibility for any willful or perverse action, and that no notice is required to be given to the person whose removal is contemplated before the power can be exercised.

The order should be affirmed.

All concur.

Order affirmed.

PEOPLE *ex rel.* JOHN T. O'CONNOR *v.* LEVI P. MORTON and others,  
trustees, etc.

Order affirmed, with costs, on People *ex rel.* Fonda *v.* same  
defendants.

PEOPLE *ex rel.* PETER E. BORST *v.* LEVI P. MORTON and others,  
trustees, etc.

Order affirmed, with costs, on People *ex rel.* Fonda *v.* same  
defendants.

All concur.

Orders affirmed.

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## A P P E N D I X   H .

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Samples of Examination Questions.

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## SCHEDULE B.

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General Clerkships, December 4, 1895.

### *Spelling.*

- |                   |                   |
|-------------------|-------------------|
| 1. Artificial.    | 26. Tentative.    |
| 2. Usurious.      | 27. Original.     |
| 3. Conferred.     | 28. Studied.      |
| 4. Specie.        | 29. Inimical.     |
| 5. Courtesy.      | 30. Inefficacy.   |
| 6. Invariable.    | 31. Tendency      |
| 7. Scarcity.      | 32. Despicable.   |
| 8. Petal.         | 33. Easily.       |
| 9. Financial.     | 34. Subsidiary.   |
| 10. Imitation.    | 35. Radical.      |
| 11. Anxiety.      | 36. Process.      |
| 12. Irregularity. | 37. Variable.     |
| 13. Exceptional.  | 38. Wrought.      |
| 14. Deficit.      | 39. Palpable.     |
| 15. Balance.      | 40. Tenure.       |
| 16. Notable.      | 41. Filial.       |
| 17. Fluctuate.    | 42. Cynical.      |
| 18. Merchandise   | 43. Obscure.      |
| 19. Nineteenth.   | 44. Falsity.      |
| 20. Gauge.        | 45. Differential. |
| 21. Available.    | 46. Optional.     |
| 22. Diminution.   | 47. Secretary.    |
| 23. Typical.      | 48. Executive.    |
| 24. Lily.         | 49. Prevalent.    |
| 25. Acceptable.   | 50. Oscillate.    |

*Dictation.*

N. B.—*Spelling, use of capitals, punctuation and all mistakes and omissions will be taken into consideration in marking this paper.*

DIRECTIONS.—*One of the examiners will dictate an exercise so distinctly that each person examined may hear him. The passage will first be read for information then dictated in phrases of five or six words at the rate of about twenty words per minute. Three minutes at the close will be allowed for punctuation.*

*Write as much as you can of the passage read. If for any cause a word is missed do not pause, but leave a blank space and go on with the next word.*

Any commissioner, examiner, copyist or messenger herein mentioned, or any other person who shall willfully and corruptly, by himself or in co-operation with one or more persons, defeat, deceive or obstruct any person in respect of his or her right of examination according to any rules or regulations prescribed pursuant to the provisions of this act, or who shall willfully, corruptly and falsely mark, grade, estimate or report upon the examination or proper standing of any person examined pursuant to the provisions of this act, or aid in so doing, or who shall willfully and corruptly make any false representations concerning the same, or concerning the person examined, or who shall willfully and corruptly furnish to any person any special or secret information for the purpose of either improving or injuring the prospects or chances of any person so examined, or to be examined, shall for each offense be deemed guilty of a misdemeanor.

*Letter-writing, Hand-writing.*

DIRECTIONS.—Write a letter of at least 100 words to the Governor upon the industries of this State. Hand-writing, errors in form and address, spelling, punctuation, capitals, syntax and style will be considered. Sign your desk number.

*Test in Addition.*

Add as rapidly as you can, commencing at the right. You will be allowed precisely seven minutes after the signal to open the envelopes has been given. At the signal to stop you must turn the paper over at once.



53,119	409,042 40	45,162	99,969 77	81,456 84	47,382	176,592
62,816	58,026 30	21,680	15,569 01	12,684 86	23,253	212,849
41,230	52,677 83	88,348	18,675 54	15,217 11	91,830	768,313
183,714	37,620 62	197,419	18,424 01	15,012 15	33,255	861,786
49,381	68,529 11	897,586	34,105 90	27,789 99	47,382	950,835
36,248	68,609 83	670,554	29,033 83	23,657 19	32,825	182,169
193,475	64,047 11	886,792	19,810 78	16,162 11	419,380	185,136
59,246	40,367 10	123,859	20,833 50	17,016 27	73,525	485,956
209,618	42,174 60	112,371	11,405 76	9,292 59	101,104	566,120
165,234	95,773 42	31,821	36,679 88	29,887 30	73,596	125,628
216,301	39,083 47	73,386	12,167 07	9,913 90	909,424	679,344
58,563	17,713 00	21,360	15,459 69	12,596 78	77,892	572,732

*Arithmetic.*

N. B.—In solving the arithmetical problems the entire process must be given in the spaces indicated on this paper. A simple answer, without such process, will not receive a maximum mark, even if correct.

1. (a) Express in words 109,061,970.

(b) Express in words \$910,006.28.

(c) Express in figures, seven hundred and six thousand eighty-nine.

(d) Express in figures, ten thousand and ten dollars and fifty cents and five mills.

2. If 15 men working 26 days of eight hours each, earn \$450, how much will 18 men, working 20 days of eight hours each, earn at the same rate?

3. Reduce three miles to rods, yards, feet, inches.

4. A man divides his farm as follows:  $\frac{1}{3}$  to his wife,  $\frac{3}{14}$  to his daughter and the balance which is 40 acres to his son. How many acres has he in all?

5. Find the amount due at maturity of a note for \$500, given for two years and four months, at 6 per cent., upon which the following payments have been made: Six months after date \$45; one year after date \$65; eighteen months after date \$25.

6. A man buys 1,000 pounds of pork at \$6 50 per hundred and sells

it an increase of  $1\frac{1}{4}$  cents per pound. What per cent. does he gain in the transaction?

7. What will it cost to plaster a room 14 feet long, 9 feet wide and  $12\frac{1}{2}$  feet high, ceiling included, at 26 cents per square yard?

8. What will be the cost of 1,350 feet of lumber at \$9.75 per thousand; 475 pounds of coal at \$5.50 per short ton; 160 sheets of paper at 12 cents per quire?

### *Geography.*

N. B. — The answers must be written in the spaces indicated on this paper

1. For what are the following places noted: (a) Gloversville; (b) Syracuse; (c) Schenectady; (d) Sing Sing; (e) West Point?

2. Give the boundaries of the United States.

3. Where do the following rivers rise and into what waters do they flow: Connecticut, Hudson, Missouri, Arkansas?

4. Locate the following places and state one fact concerning each: San Francisco, New Orleans, Duluth, Sitka, Atlanta.

5. Name the mountain ranges of the United States.

6. On what waters would you sail by boat from Hartford, Conn., to Albany, N. Y.?

7. Name five prominent lakes wholly within New York State.

8. (a) How many counties in New York State?

(b) Name four that border on the Hudson river.

(c) Name four that border on the great lakes.

9. Trace the waters of the Genesee river to the Atlantic ocean.

10. Name in order the six largest cities of the State and give approximately the population of each.

### *History.*

N. B. — The answers must be written in the spaces indicated on this paper.

1. What large acquisitions of territory have been made by the United States from foreign powers? In what manner and from what powers were they made?

2. Under what form of government was the United States prior to election of the first president?

3. Name the first five presidents of the United States in order of their election.

4. With what nation has the United States recently had a contention regarding the Alaskan seal fisheries? Briefly explain the nature of that contention.

5. On what occasion during the last few years did the Governor call out militia of the State to aid in the maintaining of law and order?

6. Name the present incumbents of the following offices in this State: (a) Secretary of State; (b) Comptroller; (c) Treasurer; (d) Lieutenant-Governor; (e) United States Senator.

7. What is the relation of the State government towards the Indians within its borders?

8. How are the canals of this State maintained?

9. Mention the Governors of this State since 1876?

10. What was the most important battle of the revolution fought in this State? Comment upon its significance.

#### *Constitution.*

N. B.—The answers must be written in the spaces indicated on this paper.

#### NEW YORK STATE.

1. Define the writ of habeas corpus and state when it may be suspended.

2. What guaranty is given by the Constitution of (a) religious liberty; (b) the right of free speech; (c) the right of petition?

3. What limitation is put by the Constitution upon the leasing of agricultural lands?

4. When and how may a person be excluded from the right of suffrage, who possesses the legal qualifications of a voter?

5. What important amendments were recently made to the Constitution of this State? How were they made?

#### UNITED STATES.

6. Define treason against the United States.

7. Who are citizens of the United States?

8. What safeguards are extended by the Constitution to persons accused of crime?

#### *Current Topics.*

N. B.—The answers must be written in the spaces indicated on this paper.

1. Discuss briefly the present outlook of the Cuban rebellion.



2. What contention over the Excise Law is at present going on in this State?
3. What circumstances have recently brought up a discussion of the Monroe doctrine in this country?
4. State the chief cause of the Armenian atrocities?
5. Mention the chief recommendations to the present Congress contained in the President's late message
6. What is the political complexion of the present Congress?
7. What important proposition concerning the canals of this State has recently been adopted?
8. What international exposition is now in progress, and what resources does it specially aim to develop.

### Messengers, March 26, 1895.

#### *Dictation.*

The first character of right childhood is that it is modest. A well-bred child does not think it can teach its parents, or that it knows everything. It may think its father and mother know everything — perhaps that all grown-up people know everything; very certainly it is sure that it does not. And it is always asking questions, and wanting to know more. Well, that is the first character of a good and wise man at his work. To know that he knows very little — to perceive that there are many above him wiser than he; and to be always asking questions, and wanting to learn, not to teach. No one ever teaches well who wants to teach, or governs well who wants to govern.

#### *Verbal Order.*

Your general orders are: To report at this office every morning except Sunday, at a quarter of 9 o'clock and to remain on duty until 5 P. M., with the exception of an hour for lunch at such time as may be assigned you. You must look after mail, keep office in order, run errands, etc.

#### *Arithmetic.*

1. Write in figures fifteen thousand.  
Write in figures nine hundred and fifty.  
Write in figures five hundred and five.  
Write in words 7600.  
Write in words 1895.  
Write in words 101.

2. In a certain community there are 116,056 men, and 76,109 women, how many are there in all?
3. If a man has \$155 and spends \$16 for groceries, \$1.75 for meat, \$23 for clothes, and \$11.60 for taxes, how much has he left?
4. What would be the total cost of the following: Seventeen dozen of eggs at 15 cents per dozen; 23 yards of calico at 9 cents per yard, and 16 tons of coal at \$5.75 per ton?
5. If you divide \$16,500 equally among fourteen persons, how much will each receive?

### Prison Guards, May 15, 1895.

#### *Dictation.*

No ardent spirits, wines, beer or ale are upon, any occasion, to be used by any officer, contractor, instructor or other citizen in or about the prison; nor shall any person be permitted to bring the same within the prison walls, except for the hospital, to be used as medicine under the direction of the physician.

#### *Verbal Order.*

Take your position at the gate to-day and let no one pass out without an order from me. When you are relieved from that post report at the office for further orders.

JAMES C. STOUT,  
*Agent and Warden.*

#### *Arithmetic.*

1. (a) Express in figures, ten thousand five hundred.  
(b) Express in figures, seven hundred and fifty dollars and five cents.  
(c) Express in words \$5,000.65½.  
Express in words 150,000.
2. The earnings of a certain department of this prison in one year are as follows:
 

Broom industry .....	\$4,356.31
Brass industry .....	2,398.11
Harness industry .....	4,300.80

 How much were the total earnings?
3. If in the above department the expenses were \$561.27 for material, \$250 for repairs, etc., how much was the profit?

4. If the expenses of running a certain business are \$1,500 a month, and the earnings are \$2,000 a month, how much is the profit in one year?
5. If you can earn \$465 in 10 months of 30 days each, how much do you earn per day?

The candidates were also given an oral and a strict physical examination.

### Reformatory Guards, Elmira, July 30, 1895.

#### *Spelling.*

- |                 |                  |
|-----------------|------------------|
| 1. Annual.      | 26. Arithmetic.  |
| 2. Armor.       | 27. Guard.       |
| 3. Spelling.    | 28. Active.      |
| 4. Writing.     | 29. Hearing.     |
| 5. Divide.      | 30. Criminal.    |
| 6. Inmate.      | 31. February.    |
| 7. Confine.     | 32. Nineteen.    |
| 8. Behave.      | 33. Assist.      |
| 9. Punish.      | 34. Diligent.    |
| 10. Wrong.      | 35. Disposition. |
| 11. Arrest.     | 36. Disease.     |
| 12. Convict.    | 37. Merit.       |
| 13. Regulate.   | 38. Different.   |
| 14. Letter.     | 39. Inquire.     |
| 15. Industry.   | 40. Either.      |
| 16. Labor.      | 41. Warrant.     |
| 17. Strength.   | 42. Governor.    |
| 18. Manage.     | 43. Figure.      |
| 19. Study.      | 44. Manner.      |
| 20. Discussion. | 45. Serve.       |
| 21. Escape.     | 46. Exist.       |
| 22. Wrist.      | 47. Prompt.      |
| 23. Clothes.    | 48. Struggle.    |
| 24. Tuesday.    | 49. Reformatory. |
| 25. Wednesday.  | 50. Merit.       |

#### *Arithmetic.*

1. Write in words 108,604. Write in figures seventy-five thousand and ten.



2. What is the sum of 750, 9,080, 875,605, 1,179?
3. If a certain corporation earn in one year \$908,195 and expends \$795,089, what is the profit?
4. If you earn 8 cents per hour and work 12 hours a day, how much will you earn in 95 days?
5. A man dies leaving \$5,000, to be divided as follows: One-half to his son, \$1,000 to his daughter, and the balance to his widow, how much is the widow's share.

*Dictation.*

Go to the guard-room floor. Tell the chief clerk to have relieved the guard on the south gate, and send the guard on the south gate to relieve Mr. Fox, in charge of the men painting on the outside of the building.

The candidates were also given an oral examination, and a strict physical examination.

**Rodmen, Levelers and Assistant Engineers, December 6, 1895.**

*A. Questions as to Occupation, Education and Experience.*

1. State in detail what has been your occupation; when and where you have followed it, and under whom. Answer precisely and fully, especially as to dates and places. If you have had more than one occupation, state fully as to each.
2. If you have received any technical education, state when and where you received it, what was its general character, what, if any, course you completed, and what, if any, certificate or diploma you hold. Answer precisely and fully, especially as to dates and places.
3. If you have had any practical experience in a position similar to the one for which you now apply, state precisely and in detail, when, where, for how long and under whom you had it and what was the nature of the work you did. If you have held more than one such position name all of them, with the several particulars as above indicated.

*Rodman.*

- B. 1. Add 11.01 feet, 11.001 feet and 111.1 feet.
2. Divide 82750 by 0.0325.
3. Extract the square root of 50 to three places of decimals.
4. Find the circumference of a wheel 3 feet 6 inches in diameter.

5. If a brick measures  $8\frac{1}{2} \times 4 \times 2$  inches, how many bricks would be required for 10 cubic yards of masonry, if 20 per cent of the whole mass is allowed for mortar?

6. Show by means of a diagram the sine, cosine, tangent, cotangent and versed sine of an angle.

7. A stone pier has a base of 12 feet by 6 feet and is 20 feet high. It has a batter of  $1\frac{1}{2}$  inches to the foot on all sides, and is composed of masonry weighing 150 pounds to the cubic foot, what are its dimensions on top? What is its solid content in cubic yards? What pressure per square foot does it exert upon the foundation?

8. One side of a triangle is  $735\frac{1}{2}$  feet and the angles adjacent thereto are respectively  $25^\circ$  and  $50^\circ$ . Solve the triangle?

9. If you desire to mark points on the surface of the ground 100 feet apart on a line falling 5.28 feet per mile, how would you move your target for each point?

10. The bearings and lengths of five of the six sides of a survey are as follows:

N.  $60^\circ 00'$  E. 120 feet.

S.  $87^\circ 30'$  E. 200 feet.

S.  $16^\circ 05'$  W. 185 feet.

N.  $80^\circ 40'$  W. 100 feet.

S.  $45^\circ 10'$  W. 160 feet.

Compute the bearing and length of the sixth side and the area of the enclosed field.

C. 1. Describe the different kinds of leveling rods which are in ordinary engineering use in this country, and state the principal differences between them.

2. Make a sketch of a scale divided to tenths of a foot provided with a vernier capable of reading to 0.001 of a foot.

3. Is it important that a leveling rod should be held in a vertical position while the instrument-man is taking his sight, and if so, what precautions ought to be taken by the rodman to secure this result?

4. What are turning points? What would you use?

5. Do you consider roots of trees and boulders good bench marks?

6. State the precautions to be observed in establishing bench marks in a wooded country?

7. What would guide your judgment in the selection of points on which to hold the rod in taking cross sections?



8. Under what circumstances would you be justified in assuming as at the same elevation the shore lines of a lake about two miles wide?

9. Explain the terms "backsight" and "foresight" as ordinarily used in leveling.

10. In running a fairly accurate line of levels, what ought to be the relation between foresights and backsights?

The oral examination will follow.

*Leveler.*

B. 1. A map is drawn to a scale of half an inch to a mile. The map measures  $1\frac{1}{2} \times 2$  feet. How many acres are represented?

2. Find by logarithms the value of  $\sqrt[3]{21}$   $\sqrt[4]{18}$ .

3. In the triangle A B C given A C = 530', B C = 200' and angle A B C =  $105^\circ$ . Solve the triangle.

4. (a) Describe in detail the method of cross-sectioning and setting slope stakes. (b) Write the notes of some imaginary cross-sections on rough ground. (Before answering this question, read the next one.)

5. (a) What is the prismoidal formula and under what conditions may it be applied? (b) Make use of it in computing the earthwork from the notes asked for in the preceding question.

6. In building a culvert how would you proceed to determine the area of the water way? — giving in a general way the nature of the data required.

7. The following field notes were taken on the center line of a railroad, distance between full stations being 100 feet; elevation of railroad at station 1 equal 106'.1; grade falls 1 foot in 100 feet; width of roadway in cuts, 30 feet, in embankment, 20 feet; slope in cuts,  $1\frac{1}{4}$  to 1; slope in embankments,  $1\frac{1}{2}$  to 1; ground is level in a direction at right angles with a center line. Arrange these notes in proper form giving elevation of each station, cuts or fills at each station, and using system of averaging end areas, give cubic yards of excavation and embankment. Elevation of bench 100'. Back sight on bench 9.20. Front sights, Station 1, 1.30; Station 2, 2.30; Station 2 + 50, 0.5; Station 3, 4.20; Station 4, 3.20; Station 5, 7.10. Turning point, 10.5. Back sight on turning point 2.10. Front sights, section 6, 7.20; Station 7, 7.90; Station 8, 8.40; Station 8 + 50, 12.90; Station 9, 7.20; Station 10, 6.0.

C 1. What is the weight of a gallon of water? Of a cubic foot?

2. Is there any advantage in the quality of foresights and backsights and if so what is it? Is there any limit (other than that fixed



by the power of the telescope) to the length of sights in leveling? If so, what is it and why?

3. What is meant by magnetic declination? State your locality and give the amount of declination there at the present time.

4. Suppose you were employed to run a line of levels for the establishment of permanent bench marks, state in detail what precautions you would take to secure great accuracy.

5. (a) What are contour lines? (b) Describe the field work necessary to the construction of an accurate contour map of an area of about one-quarter of a square mile. (c) Describe the plotting of the notes and location of the contours on the map. (d) Mention some of the uses to which such a map may be put.

6. What are the objections to loam or clay in sand for making mortar?

7. (a) What do you consider the proper proportions of cement, sand and broken stone in a good grade of concrete? (b) How much of each material would be required to make a cubic yard of concrete in place? (c) Describe in detail the method of making concrete. (d) Write a specification for the stone.

The oral examination will follow.

### *Assistant Engineers.*

B. 1. The angle of elevation of a hill from a station due south of it is  $60^\circ$  and from another on the same level due west of the former and 1,000 feet distant it is  $45^\circ$ . Find the height of the hill.

2. (a) What is the "Hydraulic mean radius" of a channel? (b) What are its values for a circular section running full, a circular section half full, and a trapezoidal section with side slopes one to one and depth equal to one-half the bottom width? (c) Define "Hydraulic grade," and what use is made of it in hydraulic engineering?

3. An impounding reservoir is located seven miles from the distributing reservoir and 500' above it. A cast-iron pipe 18" in diameter so laid as to rise nowhere above the hydraulic grade line connects the two. Using the formula  $V = C \sqrt{rs}$ , in which  $C = 125$ , determine the daily delivery in gallons at the distributing reservoir.

4. If in running a transit line in an open level country you find it passes through a house near the bank of a river, which river can not be forded or otherwise directly measured across, and having in your possession no books of tables or other means of calculating triangles, but only your transit, rods, chain and boat, how would you pass the

obstacle and continue your line, maintaining upon the opposite side of the river the proper numbering of your stations?

5. An earthen dam is to be thrown across a ravine for the purpose of impounding water; at the site there is 2' of loam, underlying which is a thick stratum of stiff clay. Height of dam from soil to top of proposed spillway is 30'. Neglecting all details as to construction of spillway, give cross section of dam which you would recommend to be built under these conditions, showing dimensions of dam, arrangement of foundation, etc., and make a brief statement of methods to be used in construction to secure a safe water-tight structure.

6. A stone box culvert is to be built across a canal which is 70 feet wide and carries 9 feet depth of water; the material on which it is founded is a fairly tenacious yellow clay extending to an indefinite depth. Dimensions of culvert, 4 feet by 4 feet, top of culvert located  $2\frac{1}{2}$  feet below canal bottom. Banks of canal are supported by vertical walls of masonry extending to a depth of 1 foot 6 inches below canal bottom. Give a cross section at center of canal showing method of construction you would advise, and also taking into consideration the danger of undermining of structure by percolation of water from canal and by the action of the water in the stream to be carried under the canal; state in a general way what precautions you would take along the whole line of the culvert, but more particularly at its ends and at its junctions with the vertical walls, to avoid danger of having structure washed away.

C. 1. What do you consider the essential features of a good engineer's transit and why?

2. Describe a mode of constructing a puddle wall.

3. In driving piles would you sharpen them or not? Would you drive large or small end down? Give the pertinent reasons that should guide your judgment on this point?

4. For what distributed load per square foot and for what concentrated load would you design a bridge over the canal in one of the populous cities through which it passes? Would you proportion roadways and sidewalks on same basis?

5. Do you consider it advisable to construct any public work requiring in its direction the use of hydraulic cement during freezing weather? If the exigencies of the case are such that the work must be done during freezing weather, what expedients would you adopt to minimize the deleterious effects of frosts upon cement.

6. (a) Sketch to scale the section of a retaining wall 20 feet high to support a bank of material of which the natural slope is  $1\frac{1}{2}$  to 1 and



the upper surface of which has an indefinite rise of 1 in 3 as it recedes from the wall. (b) Show how you would determine whether or not the proposed section is safe. (Before answering this question read the next one.)

7. Write a brief specification for such first-class masonry as you consider proper for the wall mentioned in the preceding question.

The oral examination follows.

Candidates for rodmen, levelers, and assistant engineers were given a practical oral examination.

### Chainman, December 6, 1895.

1. Multiply 230 by 68.
2. How many tenths of a foot in 3 feet?
3. Divide 3,300 by 15.
4. From a board 12 feet long a piece 3 feet 9 inches long was cut, what length remains?
5. What is a slope stake? How should it be marked?
6. What is the length of an engineer's chain? Of a Gunter's chain?
7. What is the length of a link in an engineer's chain? Of a link in a Gunter's chain?
8. If you measure a mile both ways over ordinarily rough ground with a steel tape 100 feet long, how closely would you expect the two measurements to agree?
9. In running a line through a rolling or hilly country how would you measure distances—upon the surface of the ground, or upon horizontal lines? If the latter how would you proceed to obtain your measurements upon approximately horizontal lines?
10. Nineteen hundred measurements were taken with a chain supposed to be 100 feet long. It was afterwards discovered that the chain was 9 inches too short. What was the actual distance measured? What would the distance have been if the chain had been 15 inches too long?

### Junior Physicians, October 22, 1895.

1. Give the minute anatomy of the stomach.
2. What muscles and important vessels and nerves are cut through in an amputation through the middle of the upper arm?
3. Give the gross anatomy of the peritoneum.
4. Describe the process of respiration and give the muscles used in ordinary and forced inspiration.
5. Describe the function of the spleen.



6. What is the function of the cerebellum?
7. Describe the methods for a quantitative estimation of albumen in urine, and name the various kinds of albumen found in it.
8. How would you distinguish between morphine and quinine?
9. Write the chemical formulae of the following: Nitric acid, calomel, phosphoric acid.
10. Write the following prescription in Latin without abbreviations:  
Take one grain of strychnine,  
Eight drachms of iodide of potash,  
Fifteen grains of iodide of arsenic,  
Eight ounces of distilled water.  
Mix and make a solution.  
Label, a teaspoonful after each meal.
11. What criticism, if any, is to be made to the above prescription?
12. Give the physiological action of (a) belladonna; (b) cannabis indica.
13. Give the therapeutic uses of comium, hops.
14. What are the physical signs of (a) pericarditis, (b) pleurisy.
- (c) How would you differentiate between them?
15. What is choke disk and what does it indicate?
16. Give etiology and pathology of acute parenchymatous nephritis.
17. Give the differential diagnosis and complications of scarlatina.
18. Give the varieties of appendicitis. (b) Differentiate it from the conditions with which it may be confounded. (c) Give the technique of the operation for its relief.
19. Contrast the conditions which would indicate nephrectomy and nephrotomy.
20. What is the most common form of dislocation of the shoulder joint, and how would you reduce it?
21. Give the etiology and differential diagnosis of pyosalpinx.
22. Give the forms of dysmenorrhoea and their treatment.
23. Give the signs of pregnancy at the fourth month. What makes the diagnosis positive?
24. Define illusion, delusion, hallucination.

### First Assistant Physicians, October 22, 1895.

1. Give the origin of the sensory division of the fifth pair of cerebral nerves.
2. Describe and give the location of the valves of the heart.
3. Name the principal muscles of the back.

4. Describe a cell. How is it reproduced, and give some of its varieties?
5. Give the function of the sympathetic nerve.
6. What conditions increase the solid constituents of the urine?
7. How are chlorides chemically recognized in urinalysis?
8. What is Fehling's solution?
9. Give the chemical name and formula for common salt, sulphuric acid, carbonic acid, epsom salts and Glauber's salts.
10. What are the different varieties of purgatives? Give an example of each.
11. Give the physiological action of quinine.
12. What are the therapeutic uses of sodium chloride?
13. Give the causes of aphasia.
14. Give the pathology of leucocythemia.
15. What is the differential diagnosis between tetanus and hydrophobia?
16. Give the symptoms and treatment of chronic cystitis.
17. What is the treatment of intracranial suppuration?
18. Describe the operation of tracheotomy.
19. How would you induce premature labor, and when would it be indicated?
20. Give five of the most important symptoms of pregnancy and the times when available for diagnosis.
21. Describe the abnormal positions of the foetal head which render labor difficult.
22. How would you distinguish oleomargarine from butter?
23. Describe a good method for ventilating a building.
24. Give the principal means for preventing the spread of contagious diseases.
25. How would you prepare an artificial food for an infant?

### Hospital Superintendents, September 10, 1895.

1. Describe the motor tract of the brain, through the brain and the medulla.
2. Of what is the quadriceps extensor femoris composed?
3. Describe the course of the internal carotid artery on both sides of the body.
4. Give in detail (a) by what means albumenoids are digested, (b) starches, (c) how are fats absorbed?
5. Explain as far as known how the bodily heat is regulated.



6. Give a test for the detection of hydrochloric acid in the stomach contents.

7. How would you test a specimen of urine for (a) bile, (b) glucose?

8. What is acetone?

9. Describe the physiological action of (a) digitalis, (b) nitroglycerine.

10. Give the therapeutic uses of ergot and symptoms of ergotism.

11. Describe the etiology and symptoms of cirrhosis of the liver.

12. Give the etiology, pathology and treatment of multiple neuritis.

13. Describe in detail a case of syphilitic gumma of the base of the brain.

14. Give a full description of your ideas of the arrangement and classification of a hospital for the insane, having a capacity of 1,600 beds.

15. What would be your daily allowance of the staple articles of food per capita in such an institution?

16. What are the prerequisites to the admission of a patient to a State hospital?

17. Give the prognosis and symptoms of puerperal insanity.

18. How would you treat the eclampsia of pregnancy?

19. Give the pophyloxia and etiology of ophthalmia neonatorum. How would you treat a case?

20. How would you treat a fracture of the neck of the femur?

21. Give the indications for trephining the skull.

22. How would you treat a case of erysipelas?

### Director of Pathological Institute, December 20, 1895.

1. Describe minutely the location of secondary degenerations in the spinal cord after a transverse lesion of the sixth dorsal segment.

2. Give the gross differential features between gummata tubercles and sarcomata of the brain.

3. Enumerate and describe in detail two important lesions of the blood vessels of the brain.

4. Describe the symptoms produced by a tumor lying on the floor of the fourth ventricle, involving the junction of the pons and medulla on the left side, from the lower border of the sixth nerve nucleus downward to the upper limit of the tenth nerve nucleus, and involving the lemniscus, but not the pyramid,



5. Enumerate the more important microscopical lesions of the brain which have been described in general paresis.
6. Describe in detail the association fibre of the central cortex.
7. Describe and diagram a section of the central cortex over the frontal convolutions.
8. Trace upward to their terminations the fibre of the medulla.
9. What manoscopical changes have been found in the central cortex in general paralysis of the insane?
10. What changes are most frequently found post-mortem in acute mania?
11. Describe the changes, manoscopical and microscopical, usually found after death from chronic alcoholism.
12. Describe Meynert's method of gross dissection of the brain, and state in detail its advantages over other methods.
13. Describe the method for Golgi's silver staining in the nervous system; give the more important modifications of this method, and state the mode of tissue hardening best adapted for preserving nerve tissues for this purpose.
14. Describe Nissl's staining method, and state some of the more important structural features and physiological data which its use has revealed.
15. Describe the course of the lemniscus and the various fibres entering into its composition, with their respective origins and terminations.
16. Give a diagram showing the visual tract from eye to brain cortex.
17. Describe the minute structure of the cortex of (1) the post central; (2) the middle occipital convolution.
18. What advantages does the Nissl stain offer over the Weigert and Golgi stains?
19. Give your idea of the methods to be used in investigating the pathology of insanity.
20. Discuss the possibility of detecting post-mortem the existence of toxic agents acting on the brain during life.

### Apothecaries, State Hospitals, November 7, 1895.

1. What is an emulsion?
2. Write a formula for one pint of 50 per cent. emulsion of cod liver oil.
3. Give in detail your method of preparing above.
4. How would you prepare one troy ounce of oleate of mercury, 20 per cent.?

5. How much muriate of cocaine will it take to make 6 drachms of 5 per cent. solution?
6. Sterilization, what is it?
7. How would you sterilize a solution of morphine or cocaine?
8. What is decantation?
9. What is decolorized tincture of iodine?
10. Is there free iodine in it?
11. What is blue mass?
12. Is the mercury in blue mass in a free state or combined?
13. How are infusions and decoctions made?
14. What are elements?
15. What are organic and inorganic substances?
16. Are chemical compounds always definite in their constituents?
17. Does chemical change ever occur in compounding prescriptions?
18. How would you know such a change had taken place?
19. Give example of such change occurring in your experience.
20. What are qualitative and quantitative analyses?
21. What are chemical symbols?
22. Write the chemical symbols for water, peroxide of hydrogen and sulphuric acid.
23. What do the figures in these symbols indicate?
24. What is podophyllum?
25. What is its active principle?
26. Give dose and medicinal property of the active principle.
27. What is rhubarb?
28. What properties should good rhubarb have?
29. What is compound licorice powder made of?
30. Name two substances from which strychnia is obtained.
31. What is crocus?
32. What is usually sold for crocus?
33. What impurities are often found in cream of tartar, and how detected?
34. How would you distinguish serpentaria from pink root?
35. What is elaterium?
36. Give property and dose of elaterium.
37. Give expectorant and emetic dose of ipecac.
38. Give chemical name and emetic dose of tartar emetic.
39. What would you use if a prescription called for snake root?
40. Give ordinary adult dose of each of the following: Tr. aconite; Tr. belladonna; Tr. nux vomica; Tr. digitalis; Tr. hyoscyamus; Tr. cantharides.

Inspector and Compiler, Department of Public Instruction,  
November 14 and 15, 1895.

*Arithmetic.*

1. Reduce (a) 28 bushels, 3 pecks, 5 quarts to bushels; (b)  $\frac{3}{7}$  mile to rods, yards, feet and inches.
2. The product of any number multiplied by 8 is how many times the product of the same number multiplied by  $2\frac{1}{2}$ ? Why?
3. Separate the number 707,281 into four factors.
4. What is the cost of flooring a room 18 feet 6 inches long and 12 feet 3 inches wide at \$8.25 per square?
5. Find the number .617 of which is 306 less than .17 of it.
6. Make and solve a problem illustrating the use of bank discount.
7. Compute the *exact* interest on \$250 from June 10, 1895 to date at 6 per cent. per annum.
8. I bought 50 kegs of nails, listed at \$4 per keg, at a discount of 3 per cent., 5 per cent. and 10 per cent. What did the nails cost?
9. What are the net proceeds of a sale of 38 shares of N. Y. C. & H. R. R. stock at  $121\frac{3}{4}$ , brokerage  $\frac{1}{8}$  per cent?
10. A and B do a certain piece of work in ten days. B and D can do the same work in 5 days. A and D in  $6\frac{1}{4}$  days. In how many days should the three working together do the same work?

*Algebra.*

1. Define (a) power; (b) surd; (c) radical quantity; (d) exponent; (e) root of an equation.
2. Find the prime factors of  $a^2 x^5 - a^2 x$ .
3. Simplify  $\frac{a}{a-x} - 1$   

$$1 - \frac{a}{a \times x}$$
4. Prove that a quantity with a negative exponent is equal to the reciprocal of that quantity with an equal positive exponent.
5. Expand  $(a \times b)^m$  correct to five terms.
6. Solve  $\frac{2}{3y} + \frac{3}{5x} = 7$   

$$\frac{7}{10y} - \frac{1}{6x} = 3$$
7. Reduce  $\sqrt{72x^2} \div \sqrt{90y^2}$  to its simplest form.
8.  $x + y = 8$ ,  $x^2 + y^2 = 34$ . Find two values for each unknown quantity.



9. Distinguish between a pure quadratic equation and an affected quadratic equation.

10. Determine the equation whose roots are  $-a$  and  $+\frac{b}{2}$

### *Geography.*

1. Name two offices of the river systems of a continent.
2. Account for the direction of the constant north-east and south-east winds.
3. Describe briefly the drainage of Europe.
- 4 and 5. (a) Draw an outline map of New York. (b) Locate on this map Buffalo, Binghamton, New York, the Mohawk river, the Catskill mountains.
6. Name the three states which border on New York on the east, and state for what each is commercially noted.
7. What conditions render the eastern half of the United States one of the most productive portions of the world?
8. What three seas and what two mountain ranges lie between Europe and Asia?
9. What plateau forms a watershed (a) between the tributaries of the La Platte and Amazon rivers; (b) between the Orinoco and Amazon?
10. Name and locate the chief commercial city of (a) Scotland; (b) Belgium; (c) Germany; (d) Austro-Hungary; (e) Spain.

### *Grammar.*

1. Classify sentences as to (a) use; (b) form. Give an illustration of each.
2. Give the principal parts of fly, fall, grow, teach, see.
3. Define the following terms: (a) Clause; (b) phrase; (c) illustrate some use of each in a sentence.
4. Conjugate the verb *be* in the imperfect tense, indicative and subjunctive modes.
5. Give four uses of the infinitive mode and illustrate each in a sentence.
6. Write out the analysis of the following sentence: "Controversy equalizes fools and wise men in the same way, and the fools know it."
7. Write three sentences illustrating different uses of participles.
8. (a) Write a sentence containing a clause in opposition with a noun. (b) Write a sentence containing a noun in opposition with a clause.

9. State three different ways of indicating the gender of nouns. Give an example of each.

10. Name three connectives whose office is to connect subordinate clauses to principal clauses. Give an example of each

*American History.*

1. Mention an historic fact closely associated with each of the following names: (a) Warren; (b) Wayne; (c) La Fayette; (d) Allen; (e) Gates.

2. Name four Presidents who were citizens of this State.

3. Name three prominent naval commanders in the war of 1812.

4. By whom was the first Atlantic cable projected?

5. State two causes which led to the secession of the Southern States.

6. In whose administration and in what position were the following persons prominent: Seward, Chase and Stanton?

7. Name five prominent American men of letters not now living and state the field of literature in which each was prominent.

8. What territory has the United States acquired since the civil war? From what nation? By what means?

9. In connection with the Kansas-Nebraska bill of 1854 the term "squatter sovereignty" arose? Why?

10. Mention a State formed from the territory bought from Spain; (b) one from the northwest territory; (c) one from territory obtained from Mexico?

*Bookkeeping.*

1. Distinguish between real and personal accounts, and give an example of each.

2. What is the characteristic difference between a negotiable and a non-negotiable note?

3. Define entry; account; posting; liability; cash.

4-5-6. This day Snow & Parce, Albany, N. Y., sold Henry Clay 2,500 bushels of potatoes at 20 cents per bushel, receiving \$200 in cash and Clay's note at ten days for the balance. They paid William Foster on account \$50. They bought of Arthur Wilson on account 2,000 bushels of potatoes at 18 cents.

Rule forms and make all entries required by the above memoranda.

7. Write note given in the above memoranda and endorse the same for discount.

8. Give directions for closing a double entry ledger, stating how to find the ledger resources, liabilities, present worth and net gain or loss.



9. Distinguish between a note and a draft.

10. State briefly the difference between single and double entry bookkeeping.

*Current Topics.*

Describe briefly *two* important current events which relate respectively to the following:

(a) The National administration.

(b) The State administration.

(c) European affairs.

(d) The Eastern question.

(e) Society affairs.

NOTE.—Each event to have ten credits or less as its importance shall warrant.

*Civil Government.*

1. What is the fundamental law of (a) the United States; (b) a State?

2. From what source did the United States government originally derive its authority?

3. State two differences between a territorial government and that of a State.

4. What is the President's message? In your answer state when, to whom, and for what purpose it is sent?

5. Why does Congress have full power to levy impost duties?

6. (a) Define treaty; (b) in whom is the power to make treaties vested by the United States Constitution?

7. A difference of understanding of what fundamental principle of government will always assure a division of the people in this country into at least two great political parties?

8. There were three candidates for the same office. The one received 2,100 votes; another received 2,300 votes; the one elected received 2,450 votes. Was the election by majority or plurality? Why?

9. State the length of term of office of the following officers in this State: (a) Governor; (b) Secretary of State; (c) Justice of the Court of Appeals; (d) Senator; (e) supervisor.

10. How may amendments be made to our State Constitution?

*Composition.*

1. Write an essay of not less than 200 words upon one of the following subjects:

(a) The necessity of pedagogical training for teachers.



(b) The value of reports on education in other States and in foreign countries in determining what our own system of education shall be.

(c) The specific function of training classes.

NOTE.—Orthography and penmanship will be marked from this composition.

### *Drawing.*

1. (a) The apparent form of an object depends upon what? (b) The apparent size of an object depends upon what?
2. Define the term "elevation" as used in drawing.
3. (a) Name the colors found in the solar spectrum. (b) Distinguish between a tint and a shade.
4. Upon what three types solid may all study of form be based?
5. Make a working drawing of a common square-headed bolt.
6. Draw to represent a closed barrel standing on end, top below the level of the eye, full height 2'', width  $1\frac{3}{4}$ '' through the center, top to be about  $\frac{1}{3}$ ''.
7. Define the term "perspective."
8. Distinguish between angular and horizontal perspective.
9. Draw in perspective a hemisphere, plane face upward. Modify to represent a wooden bowl.
10. Draw an isosceles triangle, altitude 2 inches, base 1 inch. Modify to represent a whisk broom.

### *Physics.*

1. What force gives to shot globular form?
2. When a steam whistle is sounded at a considerable distance from the observer, which is perceived first the escaping steam or the sound? Why?
3. In accordance with what law of heat, and what law of pressure of gases does the sun cause winds?
4. Pour boiling water into a tumbler and it will crack; immerse a tumbler in boiling water and it will not crack. Explain this.
5. A lever is balanced with weights over a fulcrum; one weight of 2 pounds is  $7\frac{1}{2}$  feet from the fulcrum; the other weight is 6 pounds. How far is the latter from the fulcrum, no allowance to be made for weight of lever?
6. How is the solar spectrum produced? What part of it is most refracted?
7. What is the specific gravity of a body that when suspended in water weighs half as much as in air?

8. The smaller piston of a hydrostatic press is worked by a lever whose power arm is 15 inches and whose weight arm is 1 inch. The area of a cross section of the smaller piston is 1 inch and of the larger piston 12 inches. What weight on the larger piston will be balanced by a power of 10 pounds on the extreme end of the lever?

9. Describe briefly, in detail, some form of a dynamo.

10. What is the origin of water power?

### *Physiology.*

1. What kind of a lever is used when the forearm is raised by bending the elbow joint? What is the weight? Where is the fulcrum? Where is the power applied?

2. What part of the nervous system controls the peristaltic action of the muscles of the alimentary canal?

3. Describe the two processes in respiration.

4. Explain physiologically the cause of apoplexy.

5. What is the effect of alcohol on digestion? Why?

6. What is the pulse? What is its normal rate?

7. Name the divisions of the spinal column. How many bones in each division?

8. Name the processes in the conversion of food into tissues.

9. Which end of the ribs is lower, the dorsal or the ventral? How is this position made servicable in the act of breathing?

10. What is osmose? Illustrate osmose as it occurs in the human body.

### *Methods.*

1. Mention three benefits arising from the study of mental arithmetic.

2. Distinguish between a *system* of education and a *method* of education.

3. For primary arithmetic classes, which is the more important, the science or the art? Why?

4. Mention two approved ways of teaching pupils how to study.

5. What is the socratic method of teaching?

6. Good teaching involves what else beside imparting knowledge?

7. Name a study illustrating (a) an objective science; (b) a subjective science.

8. What mental faculty is specially exercised in the study of (a) mathematics; (b) grammar; (c) geography?

9. Distinguish between the analytic and the synthetic methods of teaching.

10. What is the educational value of drawing?

*School Law.*

1. What questions only can be legally acted upon at a special school meeting?

2. What is the date of the annual school meeting?

3. When is a teacher qualified to contract with a trustee to teach school?

4. What length of experience in teaching is required of candidates for State certificates; certificates of first grade; certificates of second grade?

5. Where is the authority to adopt text-books vested; (a) for use in union schools; (b) for use in common schools?

6. How are vacancies in the office of (a) school commissioner; (b) district trustees, filled?

7. What is meant by "district quota" in the apportionment of school money? What is its amount?

8. For how long a time may a pupil be suspended from school (a) by the teacher; (b) by the trustees?

9. To the amount of what sum may commissioners order repairs upon school buildings?

10. State briefly the provisions of chapter 1031 of the Laws of 1895.

*History of Education.*

1-3. Give a brief sketch of the educational work and influence of each of the following: Plato, Aristotle, Locke, Rousseau, Pestalozzi, Froebel, Comenius, Arnold, Spencer, Horace Mann.

4. Name three characteristics of the education of the nineteenth century.

5-6. Give briefly the history of the development of the public schools in this State.

7-8. Give briefly the history of the growth of higher education in the State.

9-10. Give briefly the origin and development of education for professional training of teachers in this State.

11-12. Give a brief synopsis of the regulations now in force governing teacher's training classes in this State.

13-15. From the history of education what valuable ideas may be derived in regard to the organization and conduct of training classes in this State.



**Bank Examiner, State Banking Department, April 18, 1895.**

1. What are the duties of a bank examiner?
2. What corporations and institutions are under the supervision of the banking department? Define each.
3. What should be the scope of the examination of such institutions by the Banking Department?
4. What is a bank? An individual banker? A private banker?
5. What are the resources of a bank? The liabilities? What is the capital of a bank?
6. Is the capital of a bank an asset or a liability?
7. What is the difference between a bank and a savings bank?
8. How would you prove the financial statement of any such institution?
9. What books of the institution should be examined? Which first?
10. What would be your manner of procedure in the examination of a discount bank? Give the details step by step.
11. What are discounts and what security beyond the liability of the borrower is acceptable?
12. How would you ascertain their value at the time of the examination?
13. What are the re-discounts?
14. What is the limit set by law, if any, of loan to any one person, firm or corporation?
15. Should a bank loan on the security of its own stock?
16. How would you ascertain the net profits?
17. What is meant by declaring a dividend?
18. From what is a dividend paid, and how apportioned?
19. Have State banks the right to take out circulation? Do any of them?
20. If yes, how? If no, why not?
21. When, if ever, can a bank charge more than 6 per cent for the loan or use of money?
22. What is the money reserve of a bank and how would you compute it?
23. How can embezzlement on the part of the employes of a bank be discovered? How prevented?
24. What is the purpose of a clearing house?
25. What is a trust company?
26. Does the law state how its capital shall be invested? If so, how?

27. To what extent can a trust company transact a banking business?

28. How would you prove the correctness of the amount stated to be due depositors?

29. What is the surplus of a savings bank? To whom does it belong?

30. What is the difference between a general ledger and an individual ledger? What style of ledger is best suited to a discount bank?

31. What is a building and loan association, or a co-operative savings and loan association? What is the object of its organization?

32. What is meant by charging premium in such an association?

33. What are the liabilities of such an association?

34. When, if ever, is the premium a liability?

35. When will the shares of such an association mature?

36. Can a period of maturity be guaranteed? Give reason.

37. In the practical working of such an association is the rate per cent of dividend earned for the investing member governed by the rate paid by the borrowing member for the use of his money? Explain answer to the last question briefly.

38. What financial institutions under the supervision of the banking department may loan money on the security of bond and mortgage?

39. What determines the value of bond and mortgage?

40. What financial institutions under the supervision of the Banking Department may purchase real estate? When and to what extent?

41. When is a financial institution insolvent?

42. Can such an institution be solvent and unsafe, at the same time? Explain.

Assistant Superintendent, House of Refuge, Albion, September  
18, 1895.

*Letter Writing.*

As Assistant Superintendent of the House of Refuge, at Albion, write a letter of at least 150 words to the Superintendent, containing a report of the condition of the inmates of a certain building in the institution, and making such recommendations concerning them as you think proper.

*Arithmetic.*

The entire work must be given in solving the following problems:

1. Express in decimals  $\frac{4}{5}$  of .098.

2. What is  $\frac{1}{8}$  of  $\frac{11}{15}$  of  $\frac{7}{9}$ ?

3. What is the interest on a promissory note of \$145.65, for 5 months and 6 days, at 5 per cent.?

4. If there are 150 persons in a certain institution, supported at an annual cost of \$2,375, what is the daily cost of each inmate?

5. If it cost \$11,550 to run a corporation and the income is \$17,600, what per cent. of the income is the cost?

6. What would it cost to clothe fifty-five inmates of the House of Refuge if for each one it cost as follows?

16½ yards of calico at 9 cents per yard.

23⅓ yards of muslin at 20 cents per yard.

1 pair shoes at \$1.50.

3 pair stockings at 15 cents per pair.

7. Reduce 8 miles 6 furlongs 10½ rods 9 feet to inches.

8. A man desires to buy 1,500 pounds of sugar, which he can obtain for 7 cents per pound, cash, or 7½ on sixty days time, which is most advantageous if his money is worth six per cent. to him?

#### *Experience and Duties.*

1. State fully what experience or training you have had tending to qualify you for the position of Assistant Superintendent at the House of Refuge, Albion.

2. When and for what purpose was the above institution founded?

3. How and within what ages are persons committed to this institution? For what offenses are they committed?

4. Give your idea about a proper educational system for this institution.

5. What trades or occupations do you think may be successfully taught here?

6. Do you favor physical punishment for refractory inmates? If so, state when and to what extent.

7. What habits or vices on the part of the inmates do you conceive to be most common, which form obstacles to the enforcement of discipline?

8. To what extent do you think the inmates may be reformed by judicious management?

9-10. State any ideas you may have concerning the management of such an institution, not drawn out by the above questions.



## Excise Inspector, New York City, June 26, 1895.

*Composition.*

Hand writing and spelling will be judged from the candidate's papers in dictation and composition.

Should the Civil Service Commissioners ask you for your qualifications for the position of Excise Inspector in the city of New York, what would be your reply? (Write out a copy of your letter to the commissioners complete as to form and matter. The letter must be in length at least 300 words. Sign with desk number.)

*Arithmetic.*

The entire work must be given.

Number answer to correspond with number of question. Put your desk number on the top of each sheet. Your name must not appear on the paper.

1. A is worth \$5,000, B is worth \$7,500, C is worth twice as much as both. How much is C worth?

2. When eggs are worth 19 cents per dozen, how many dozen can be bought for \$16.50?

3. How much will a man earn in 1 year, 3 weeks and 5 days at 15 cents an hour, working eight hours a day.

4 Divide 2,756 by 87, and multiply the result by 17.

5. When sugar is 7 cents a pound and meat is 15 cents a pound, how many pounds of meat will equal the value of 35 pounds of sugar?

*Geography.*

Number answer to correspond with number of question. Put your desk number on the top of each sheet. Your name must not appear.

1. Draw an outline map of this State and locate thereon, the following cities: (a) Rochester, (b) Binghamton, (c) Saratoga, (d) Poughkeepsie, (e) Utica.

2. Describe the course of the Erie canal.

3. Define (a) a river; (b) an island; (c) a cape; (d) a bay; (e) a plain.

4. How many counties are there in this State?

5. Write 100 words on the geography of New York city, giving boundaries, location of city buildings and places of interest.

*Excise Law and Duties.*

Number your answer corresponding to number of question. Put desk number on each sheet. Your name must not appear on the paper.

- 1. Fill out blank report for saloon'license. Sign with desk number. (Fifteen minutes allowed.)
- 2. State in detail the duties of excise inspector.
- 3. (a) State the different kind of licenses that may be granted in New York city. (b) State the amount of fees that may be charged in each case.
- 4. Richard Roe desires to obtain a hotel license. State each step to be taken, from the receipt of the application to the granting or refusing of the license.
- 5. In case of the death of the licensee, who may carry on the business? Is a new license necessary?
- 6. In what cases may the board of excise revoke a license?
- 7. How would you find out whether or not a hotel license is being observed?
- 8. What is the legal prohibition as to sale of liquor in public institutions?

NEW PARTY OR NEW PLACE.

(INSPECTOR'S REPORT.)

OFFICE OF THE BOARD OF EXCISE,  
NEW YORK, ....., 189 . }

To the Board of Excise:

Application of John Doe.....  
.....  
..... for license, class ..... grade .....  
at ..... | Visited ..... 189.....  
located ..... | The business is (or is to be) carried on  
under the firm name or style of ..... name of saloon, place,  
store or building, is ..... bar (or store) is on the ..... floor.  
There are in other rooms separate and apart from the bar-room .....  
restaurant ..... café and ..... bed rooms for guests.

I have carefully examined said premises and building, and find there is ..... indication that the same are used, or are to be used, for gambling or other immoral purposes, and that ..... part of said building is a resort for immoral persons; nor are said premises used as a Court House, nor are the same used or occupied wholly for State, County or Municipal purposes.

The balance of building is used for (or as) .....  
..... part of the building is used as a skating rink, concert saloon, theatre, or for sparring exhibitions: ..... girls or women, other than members of applicant's family, are employed to sell or serve, or to offer or cause to be sold or served, upon the premises for which license is applied for, any strong or spirituous liquors, wines, ale or beer, and ..... music is had on the premises .....

The applicant ..... engaged in the sale of groceries on the premises licensed and ..... groceries are sold on said premises by ..... other person, persons or corporation.

These premises ..... known as being disorderly.

There is ..... license in this building now, class ..... which expires  
..... 189.. issued to ....., located on .....  
floor.

These premises have ..... been licensed since .....

There are ..... signs on the premises advertising the sale of liquors and  
wines .....

There are ..... licensed places in the neighborhood, located as shown on  
the within diagram, with house numbers and class as marked.

The churches, schools, hospitals and asylums on the same block, on either  
side of the street or within 500 feet of the place, are located as follows:  
.....  
.....

The character of surrounding neighborhood is .....

Name of former licensee at this place was ..... who  
has removed to .....

The former licensee was ..... arrested for violation of the Excise  
Law .....

The former licensee was ..... convicted of violation of the Excise  
Law .....

A protest has ..... been made against this place .....

An application was ..... rejected for this place .....

Upon diligent inquiry, I find the moral character and general reputation  
of the applicant to be .....

I base my conclusion upon the following facts and circumstances:.....  
.....  
.....

Applicant is ..... a citizen of the United States and resides at .....

Applicant is .... now licensed at this place and has been since .....

Applicant was ..... formerly licensed at .....

Applicant's license was ..... revoked .....

Applicant was ..... arrested for a violation of the Excise Law .....

Applicant was ..... convicted of violation of the Excise Law .....

There is ..... discharge filed ..... There is ..... bill of sale  
filed .....

License for this place has ..... been surrendered .....

The grade of Internal Revenue Stamp and date of issue is .....

Information from .....

REMARKS :.....  
.....  
.....  
.....

Record ....., .....

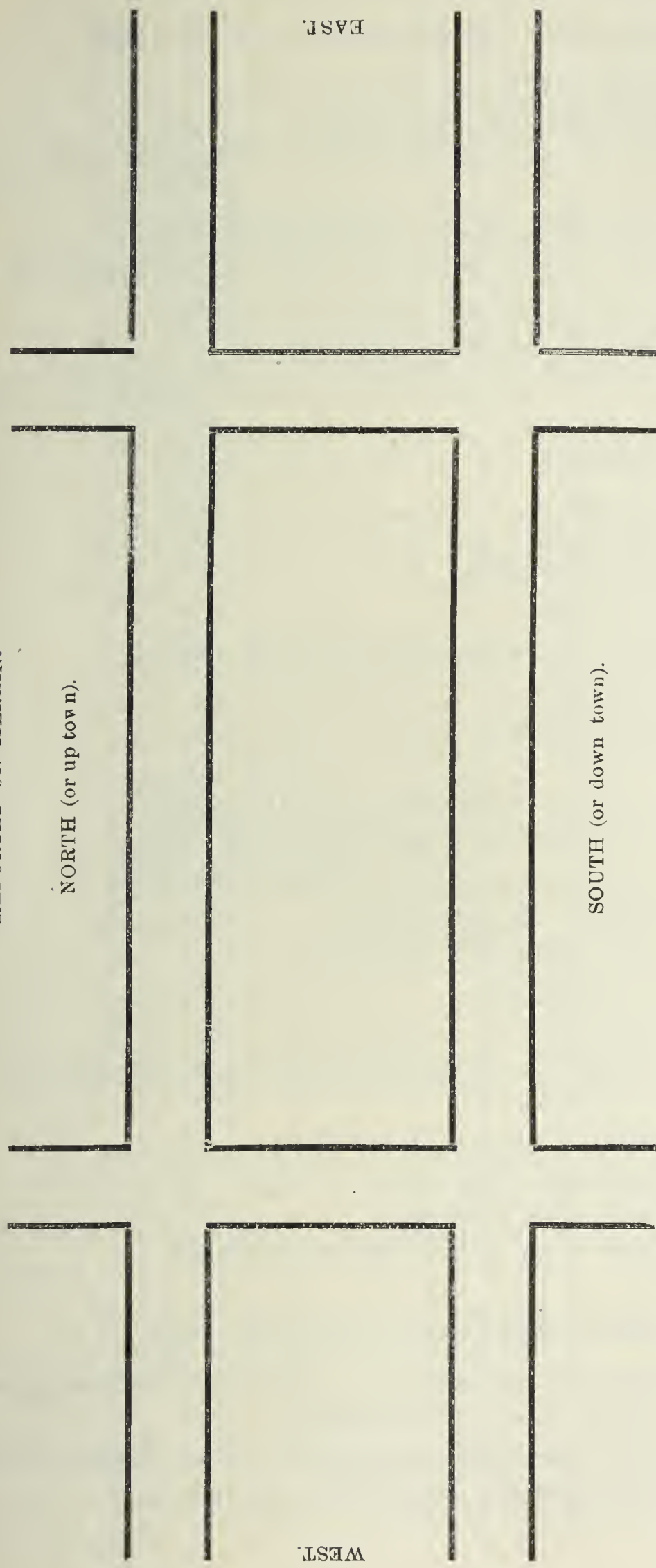
Respectfully submitted, Desk No. ....

S. B. ....;

Examined by ....., *Special Inspector.*



DIAGRAM SHOWING SALOONS, ETC., LICENSED AND UNLICENSED, CLASS AND STREET NO. IN NEIGHBORHOOD OF PLACE REPORTED ON HEREIN.



CITY AND COUNTY OF NEW YORK, ss.:

The foregoing report is true, to the best of my knowledge and belief.

Sworn to before me, this ..... day }  
of ..... 189 . }

Desk number .....

.....  
Commissioner of Deeds.

**Architectural Draughtsmen, July 26, 1895.**

1. What is architecture?
2. Name the five orders of architecture.
3. What distinction can you make between Greek and Roman architecture?
4. What is the principle of the styles known as Gothic?
5. Wherein does the great difference consist in the principle of construction between an ancient and medieval structure?
6. What are the so called classic styles?
7. Name some of the distinguishing features of Greek and Roman architecture.
8. What is a column?
9. What are pilasters?
10. What is an arcade?
11. Describe the entablature.
12. Describe the frieze.
13. How is the frieze ornamented in the Doric order?
14. What is a cornice?
15. What is a pediment?
16. What is meant by an order?
17. Describe the principal features of the Doric order.
18. Describe the principal features of the Ionic order.
19. Describe the principal features of Corinthian order.
20. What are the two Roman orders?
21. What is Romanesque architecture?
22. What is an architrave?
23. What is a portico?
24. What are the spaces between the arches in an arcade called?
25. What are caryatides?
26. Make a sketch of a tuscan base and cap.
27. Make a sketch of a Doric cap.
28. Make a sketch of an Ionic cap.
29. Make a sketch of an entablature and pediment.

**Steam Engineers, October 29, 1895.**

1. What has been your experience in operating steam plants, steam engines, etc., and give details of such plants.
2. Have you had a mechanical training? If so, where, and state kind of work done by you and length of time employed.

3. What is the first duty of an engineer when entering on duty in boiler room?
4. What are his duties in general management of boilers?
5. When should boilers be cleaned, and how should they be inspected for defects?
6. What is meant by specific heat? By latent heat?
7. What is a pyrometer, and of what use is it in connection with steam boilers?
8. What are some of the principal causes of explosion of steam boilers?
9. About how many feet of grate surface should be allowed per horse power of a boiler?
10. How can the strength of a boiler be determined, strength and thickness of sheet being known?
11. Give the mechanical construction of a safety valve.
12. What is a safe load on a  $\frac{3}{4}$  inch stay bolt, using  $\frac{1}{6}$  of its total strength as a safe load, strength of material, 60,000 pounds per square inch?
13. Upon what does the horse power of a boiler depend?
14. What is the usual evaporation of water per horse power?
15. How many square feet of heating are allowed per horse power in horizontal tubular boilers?
16. How much grate surface should a boiler have in proportion to its heating surface for anthracite coal?
17. Give description of safety valve on boiler which was under your care, give diameter and area of valve, length of lever and weight of same, also how to compute same.
18. What would be the expansion on 100 feet of wrought-iron pipe, filled with steam at 60 pounds pressure per square inch?
19. What is a throttle governed engine? What is an automatic cut off engine?
20. In a building having 300,000 cubic feet of space to be heated by direct radiation, what amount of radiating surface would be required? Also, what boiler capacity required? What required for indirect heating?
21. What is a unit of heat? How many such units are developed by the combustion of one pound of pure carbon?
22. What is the capacity of a tank  $8\frac{1}{2}$  feet long,  $8\frac{1}{2}$  feet wide and  $12\frac{1}{2}$  feet deep? Answer in gallons.
23. In setting a horizontal tubular boiler, how should wall be constructed? What mortar should be used with fire brick, and how laid? Also, red brick?



24. How are steam engines rated? What is horse power? What is a foot pound?

25. What do you understand by mean effective pressure? How is the supply of steam to and from the cylinder controlled?

### Firemen, March 27, 1895.

1. What education, training or experience have you had that fit you for the position of fireman?

2. Describe fully a fireman's duty in a boiler room?

3. What are the principal impurities in feed water? How would you determine these impurities?

4. What is scale in boilers? What simple measure may be taken to prevent it?

5. Should a boiler be blown off under full head of steam, or under a partial head? Give reason for your answer.

6. How do you clean a fire? How and for what purpose is a fire banked?

7. How much pressure should be carried with a banked fire?

8. What effect has greasy water on a boiler?

9. How would you proceed to start up a new boiler? Give all details.

10. What are the advantages of hot feed water?

11. Should, or should not, air be admitted to a furnace above the grate bars? Give a reason for your answer.

12. What result may follow, if water in the boiler is allowed to get too low? What if it gets too high?

13. How should fires be managed in getting up steam from cold water?

14. What should be done in case of low water? What should be done in case of foaming?

15. What is the use of gauge cocks and gauge glasses in connection with steam boilers?

16. What care should be taken to maintain gauge cocks and gauge glasses in proper condition?

17. What should be done in case the gauge glass breaks?

18. How should fires in grate be maintained, and what should be the condition of fire and furnace to procure the best results from coals?

19. How should a battery of boilers be fired so that they might steam to the best advantage?

20. Give the different trimmings on a boiler, and define their uses.

## Electrical Engineers, October 29, 1895.

1. State in detail how you would practically test a new 50 K. W., 125 volt generator as to its capacity for doing work.

2. Show by sketch and explain your method of construction in each of the following cases:

(a) Cross a 6-inch steam pipe placed three inches from ceiling, with a 400,000 C. M. cable carrying 500 volts.

(b) Run in a 6-inch space between floor and steel ceiling with a 200,000 C. M. cable carrying 220 volts.

(c) Run a 30,000 C. M. wire carrying 110 volts, on the iron rafters of a boiler-room roof.

(d) Run an 80,000 C. M. cable carrying 1,000 volts up the inside of a 12 in. x 12 in. brick ventilating flue.

(e) Run a 25,000 C. M. wire carrying 220 volts, in cement, under a tile floor.

3. State what insulation tests you would make in a station of circuits, dynamos, etc. Give methods and frequency of tests, with standard of insulation required.

4. Explain principle and use of

(a) Bell telephone transmitter;

(b) Magnetic cut-off;

(c) Primary and secondary fuses;

(d) Samson or Leclanche battery;

(e) Telegraph relay

5. Draw a floor plan of an amusement hall with an auditorium 150 feet long, 75 feet wide and 50 feet high, and a stage 40 feet wide, 30 feet deep and 50 feet high. Show on plan the location, number and candle power of 110 volt incandescent lamps with which you would light auditorium and stage.

6. Group the lights located in your answer to question No. 5 into circuits. Give sizes of wires, allowing 1 per cent. drop, and place and method of control.

7. Write a short specification for a ten-pair telephone cable to be used in a moist steam-pipe duct, having a temperature of  $75^{\circ}$  C.

8. In an alternating system of 1,000 volts, state

(a) Resistance hot and cold of a 50 C. P. series incandescent lamp.

(b) Size of wire to transmit 25 amperes four miles with a ten per cent. drop.

(c) Most desirable place for transformers for detached buildings.

9. Write out a complete order for all materials, instruments, cables, etc., which you would need to build and install a switch-board for a 50 light series arc dynamo and two lamp circuits.

10. State in detail what experience you have had which would be beneficial to you as house electrician. Give time, place and length of such experience.

### Dynamo Tenders, October 29, 1895.

1. Explain the use of

- (a) Voltmeter switch;
- (b) Lightning arrester;
- (c) Equalizing switch;
- (d) Rheostat;
- (e) Dynamo fuses.

2. Name and explain the use of the different parts of an alternating dynamo.

3. What size fuse would you use on a 200 light, 32 C. P., 110 volts, incandescent circuit?

4. State fully how you would start up two compound wound dynamos in multiple.

5. State which of the following articles you would use on a commutator: Emery cloth, cotton cloth, vaseline, file, sand paper, oil, shellac, waste.

6. State fully how you would join two ends of a No. 0, B. & S. gauge wire together.

7. State maximum reading of ampere meter that you would allow for a 600 light, 50 volt dynamo.

8. Being in charge of the plant at midnight, what would you do in case of fire in one of the hospital buildings?

9. State fully what you would do with a bearing that was running very hot.

10. State what experience you have had which would be beneficial to you as dynamo tender.

### Instructor in the Care and Firing of Steam Boilers, State Industrial School, Rochester, July 16, 1895.

#### *Professional.*

1. What educational training and experience have you had that fit you for the discharge of the duties of this position?

2. Make a drawing of the front elevation of a boiler, showing by letters the location of the different valves, feed-pipes, gauges, etc.



3. Make a cross-sectional drawing of a boiler through the fire-box, naming as before.

4. Make a drawing of a central longitudinal section of a boiler, showing ash-pit, grate, bridge-wall, flue, etc., complete, naming as before.

5. What are the principal impurities in feed-water? How would you determine these impurities?

6. What simple measures may be taken to prevent scale in boilers?

7. Should a boiler be *blown off* under full head or under partial head of steam? Give reason for your answer.

8. What are the advantages of hot feed-water?

9. What is the lowest comparative temperature to which the gases of combustion may be profitably reduced before they enter the chimney flue?

10. Name the products of combustion of soft coal.

11. Should or should not air be admitted to a furnace above grate-bars? Give a reason for your answer.

#### *General.*

1. What is meant by specific heat? By latent heat?

2. What is a pyrometer and of what practical use is it in connection with boiler firing?

3. A boiler consumes 6,415 pounds of coal in twelve hours, and during that time 845 pounds of ashes and clinkers are removed. What is the percentage waste?

4. If the coal mentioned in (3) costs \$2.35 per ton, what is the cost of a ton of combustible?

5. Suppose coal costing \$2.45 per ton has 10 per cent. waste, which is the more profitable to purchase, that or the coal mentioned in (3)?

6. A manufacturing company have a steam plant valued at \$14,500. They employ three men in its management, one of whom they pay \$3 per day, another \$2.50 and the third \$2. The plant consumes 3,625 tons of coal annually costing \$2  $\frac{3}{4}$  per ton. Water rents are \$1,575 per annum, repairs \$2,350. What is the entire cost of running the plant per year allowing interest at 6 per cent.?

7. What is meant by double and triple expansion engines? Upon what principle do they depend for action?

8. What are some of the principal causes of steam boiler explosions?

9. About how many feet of grate surface should be allowed per horse power of a boiler?

## Milk Experts, October 24, 1895.

1. What is milk?
2. What are the five best known compounds in milk?
3. How much water does average milk contain?
4. What is meant by total solids in milk?
5. What is the legal standard of milk in New York State in regard to total solids, fat and water?
6. Is a quart of milk heavier or lighter than a quart of water?
7. If a quantity of water weighs 1,000 pounds, how much would the same quantity of milk weigh?
8. What is meant by specific gravity?
9. What is the usual specific gravity of milk?
10. How does the fat of milk tend to affect the specific gravity?
11. Which is heavier, a quart of milk containing 6 per cent of fat or one containing 3 per cent? Why?
12. Is a quart of cream heavier than a quart of milk? Why?
13. Is a quart of skimmed milk heavier or lighter than a quart of milk? Why?
14. What is a lactometer?
15. Is a lactometer always a safe guide?
16. What effect does temperature have upon the standing of the lactometer?
17. If you were testing milk and did not have the conveniences for controlling temperature, how would you determine the lactometer standing?
18. What effect does removal of cream have on the specific gravity? Why?
19. What effect does addition of water have on the specific gravity? Why?
20. What effect does salt or sugar have on the specific gravity? Why?
21. How would you obtain a fair average sample of milk that had stood in a can over night?
22. Is it possible to both skim and add water to the milk so as to float the lactometer at the same point as before the milk was skimmed and watered?
23. In such a case how would you tell that the milk was not pure?
24. What is the effect if dirt is allowed to accumulate on the lactometer?
25. How would you proceed to inspect a can of milk? Describe in detail.
26. What experience have you had in handling milk?

**Butter Experts, May 10, 1895.**

1. What are the chief constituents of butter?
2. Which of these is most important?
3. Good butter should contain how much butter fat?
4. What four simple fats is butter fat mostly composed of?
5. What constituents of butter fat make soft butter?
6. What constituents of butter fat make hard butter?
7. Can the hardness or softness of butter be affected by feed?
8. What is the chief difference between oleomargarine or artificial butter and genuine butter?
9. What is the main objection to the manufacture and sale of oleomargarine?
10. In what shape does fat exist in milk?
11. What is the average diameter of the fat globule?
12. Have fat globules any special covering or membrane?
13. Do size and number of globules vary with period of lactation?
14. Are the number and size of fat globules in milk influenced by the health, treatment and various other conditions affecting cows?
15. Is the creaming of milk a chemical or physical change?
16. Why does the fat in milk rise?
17. Does increasing the temperature affect creaming of milk, other things being unchanged?
18. What is meant by viscosity of milk?
19. Does viscosity vary with period of lactation?
20. How much does the formation of fibrin affect the creaming of milk?
21. What system of creaming will produce the best results, and why?
22. What system of creaming produces the richest cream?
23. What is the difference between sweet cream and ripened cream butter?
24. Describe method in detail of manufacturing sweet cream butter.
25. Describe method in detail of manufacturing ripened cream butter.
26. Upon what does the ripening of cream depend?
27. Is it advantageous to use a starter in ripening cream?
28. Is a starter in the form of artificial acid of any special value?
29. Does churning produce chemical or physical changes in fat?
30. What changes does churning produce?



31. Can globules of fat be made to adhere at any temperature?
32. What range of temperature is most favorable for churning, and why?
33. Does casein in butter do any harm?
34. How can most of the casein in butter be removed?
35. What is the object of salting butter?
33. What are the principal elements for success in butter-making?

### Cheese Experts, May 10, 1895.

1. What are the five best known compounds in milk?
2. Which of these enter into the manufacture of cheese?
3. Do the solids of milk always maintain the same relative proportion to each other?
4. How should milk be cared for to produce the best results in cheese-making?
5. What is the object of converting milk into cheese?
6. How do you effect the separation of the liquid from the solid?
7. What is rennet?
8. What office does it perform in cheese-making?
9. At what temperature would you add the rennet to the milk in order to obtain the best results?
10. At what temperature is rennet most active?
11. At what temperature is it dormant?
12. At what temperature is the action of rennet practically destroyed?
13. How would you proceed with normal milk to manufacture an export cheese? Give details.
14. How would you change your method to produce a good home-trade cheese?
15. When called upon to assist a maker who was having trouble with gassy-tainted milk, what would you do to overcome the trouble?
16. What, in your opinion, is the cause of gassy milk, and floating curds, and how can it be avoided?
17. What is the cause of mottled cheese?
18. How would you prevent mottled cheese?
19. Is it advantageous to ripen milk for cheese-making?
20. Give your reasons for your answer to the previous question.
21. What, in your opinion, is the cause of slippery curds, and how would you remedy the trouble?

22. Which do you consider will give the best results, to finish cutting the curd without stopping, or let it settle after cutting lengthwise before finishing, and why?

23. How soon after cutting would you apply the heat, and why?

24. Would you keep the curd agitated at intervals after the heat was shut off until time of drawing the whey, or would you allow it to rest and pack after a short time?

25. What is the highest temperature to which you would subject your final heating process?

26. What is the normal loss of fat in the whey in the manufacture of cheese?

27. Under what conditions will the loss of fat be increased?

28. What do you mean by curing cheese?

29. What is the proper temperature for curing cheese?

### Vinegar Experts, October 24, 1895.

1. What are the principal kinds of vinegar on the market?

2. What is the color of cider vinegar?

3. What is the color of malt vinegar?

4. What is the color of white wine vinegar?

5. How would you distinguish these various vinegars by their smell and taste?

6. What is the name of the acid of vinegar?

7. What per cent. of this acid does the law require in different kinds of vinegar?

8. How much solids does the law require for cider vinegar?

9. How do you determine the per cent. of acid?

10. For what purpose is the "color liquid" used?

11. To what class of instruments does the aceto-thermohydrometer or "solidometer" belong?

12. At what temperature is it to be used?

13. What per cent. of acid must the vinegar contain so that the "solidometer", will indicate the solids correctly?

14. If the vinegar contains more or less acid than the instrument requires, what calculation would you make to ascertain the correct amount of solids?

15. How would you proceed to examine a sample of vinegar? Describe in detail.

## Fish Culturist, August 7, 1895.

1. What experience have you had in the culture of fish? When, where, and by whom, was artificial fish culture first practiced? When, where, and by whom was it first introduced into the United States?

2. Give titles of six American works on fish culture.

3. Name the kinds of salmon, trout and white-fish found in New York waters, native and introduced.

4. How are the brook trout, lake trout and brown trout distinguished?

5. Will brook trout and lake trout hybridize in a state of nature?

6. What is known of the spawning habits and spawning grounds of the striped bass in New York?

7. What fishes of the herring family are found in fresh waters of New York?

8. What variations occur in the migrations of shad in the Hudson, and what are the causes?

9. Has the shad teeth at any age?

10. What fresh water fishes of New York guard their nests and young?

11. Name the kinds of fish and other aquatic animals whose eggs are artificially hatched in New York, and state their spawning seasons?

12. How many eggs has the shad? The cod? The common white-fish? The brook trout? The smelt?

13. What are the sizes of the eggs of the cod, smelt, pike, perch, shad, sea sturgeon, brook trout, lake trout and common white-fish?

14. What is the hatching period of eggs of shad, sturgeon, smelt, common white-fish, cod, lobster, brook trout and black bass?

15. What classes of fish eggs, divided according to their specific gravity, are hatched in New York?

16. Describe the different methods of artificially fertilizing fish eggs?

17. What is the origin of the "dry method" and to what eggs can it be applied?

18. How can the developement of some fertilized eggs be retarded and what bearing has this upon long distance transportation.

19. What forms of hatching apparatus are now used in New York?

20. What are the advantages of glass jars in hatching eggs, and can such jars be used for all kinds of eggs?



21. Describe a hatching jar in operation, and state its capacity for white-fish, shad and lobster eggs.
22. What eggs of New York fish are adhesive, and how are they treated in hatching?
23. Describe the hydrometer, and state its use in fish culture.
24. How do you determine the density of salt water.
25. In what density of water can cod eggs be hatched, and in what apparatus?
26. Describe the method of taking, transporting and hatching shad eggs?
27. What is the effect of direct sun light on fish eggs?
28. Describe the method of packing white-fish eggs for distant shipments.
29. Describe the best methods of transporting young and adult living trout.
30. Describe the methods of aerating water in which fish are transported.
31. What are the uses of ice in fish culture?
32. What kinds of food are used for young trout, and how are they given?
33. What natural fish foods can be reared and profitably used at fish cultural stations?
34. Name the chief enemies and diseases of fish and eggs at hatching and rearing stations?
35. What is fungus, and how should fish affected by it be treated?
36. Has spring water any advantages over creek water for winter use in a hatchery? Give reason for your answer.
37. How much water per hour is required to hatch one million brook trout eggs, and what is the best temperature of water?
38. Describe briefly, a series of rearing ponds for trout.
39. What are the uses of aquatic plants in fish culture?
40. Describe the treatment of brook trout eggs in a hatchery from the time they are placed in the apparatus, until the embryo leaves the shell.

#### SCHEDULE C.

##### *Medical Interne.*

1. Give the anatomy of the medulla oblongata.
2. Describe the axillary artery.
3. Give the nervous mechanism of the heart.
4. Describe the function of the liver.

5. Describe the diazo reaction (Ehrlich's test) and its significance
6. Give the symptoms of poisoning by nitric acid.
7. Give the therapeutic uses of Strychnia.
8. What is the physiological action of ergot?
9. Give the differential diagnosis of typhoid fever from the diseases which may be mistaken for it.
10. Give the complications and sequelae of rheumatism.
11. Give the etiology and pathology of multiple neuritis.
12. Describe the Bigelow operation for the removal of stone, and give the indications for the operation.
13. What is Chopart's amputation?
14. How would you treat a fracture of the clavicle?
15. In what cases would symphysiotomy be indicated?
16. How would you treat puerperal eclampsia?
17. Give the symptoms of cerebro spinal meningitis.
18. What would you do if called to a case of asphyxia from coal gas?
19. Define mania, melancholia.
20. What is paranoia?

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## APPENDIX I.

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Civil Service Statutes, Rules, Classification,  
Regulations, Etc.

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Register of Qualifications, Schemes for Examinations,  
Limits of Age, Instructions to Examiners, Special  
Regulations for Guidance of Applicants, Rules,  
Classification, General Regulations and Statutes.

There are no fixed dates for examination. Applicants of record will  
be notified of the time and place of examination.

Register of Qualifications, Schemes for Examinations, and  
Limits of Age.

SCHEDULE B.

Under the provisions of Civil Service Rule 14, the following  
schemes have been prepared for the several grades in Schedule B:

CLERKSHIPS.

First, second and third grades.

Salaries less than \$1,500 per annum. Included in these clerkships  
are positions as copyists, bookkeepers and others.

Age not less than 21 years at the time of application.

	Relative weights.
1. Writing from dictation.....	2
2. Handwriting .....	3
3. Spelling .....	3
4. Arithmetic, viz : Test in addition, examples in fractions, reduction of weights and measures and percentage .....	4
5. Geography, History and Constitution of New York and the United States.....	3
6. Letter-writing.....	3
7. Current Topics.....	2
Total .....	20

Optional subjects.

Expert penmanship, bookkeeping, advanced arithmetic, drawing.

Junior Clerks in the Department of the Regents of the University.

Salaries not to exceed \$720 per annum. Limits of age 16 and 21 years.

	Relative weights.
1. Writing and dictation.....	2
2. Copying from manuscript.....	2
3. Handwriting.....	4
4. Spelling .....	2
5. Arithmetic .....	3
6. Algebra .....	2
7. Physiology .....	2
8. Geography, History and Constitution of New York and United States.....	3
Total .....	<hr/> 20 <hr/>

STENOGRAPHERS AND TYPEWRITERS.

Age not less than 18 years at the time of application.

	Relative weights.
1. Handwriting .....	1
2. Spelling .....	1
3. Typewriting from shorthand notes. ....	3
4. Accuracy in taking notes of dictated matter at the rate of not less than 100 words per minute.....	5
Total .....	<hr/> 10 <hr/>

EXAMINERS, REGENTS OF THE UNIVERSITY.

The work of appointees consists in marking the papers of pupils who have taken the Regents' examinations, held in the various high schools and academies.

Age not less than 21 years at the time of application.

Higher English.

English Composition, Rhetoric, English Literature.

Latin.

Cæsar's Commentaries, Cicero's Orations, Virgil's Æneid and Latin Composition.



**Greek.**

Xenophon's Anabasis, Homer's Iliad, Greek Composition.

**Mathematics.**

Arithmetic, Algebra, Geometry and Plane Trigonometry.

**Special subjects.**

Astronomy, Physics, Chemistry, Geology, Botany, Zoology, Drawing, French and Rhetoric.

**MESSENGERS.**

Age not less than 18 years at time of application.

	Relative weights.
1. Writing from dictation .....	1
2. Handwriting .....	2
3. Spelling .....	1
4. Arithmetic, viz.: Examples in addition, subtraction, multiplication and division.....	2
5. Writing from memory the substance of a verbal order.....	1
6. An oral examination, from which will be marked experience, general intelligence and ability to execute orders.....	3
Total .....	10

**PRISON AND REFORMATORY GUARDS**

Applicants must pass a thorough physical examination by a physician. Age not less than 21 years at time of application. Stature and weight — The stature shall not be below 5 feet  $7\frac{1}{2}$  inches, nor the weight below that marked as its minimum accompaniment in the subjoined table:

Height.		Minimum weight.	Height.		Minimum weight.
Feet.	Inches.	Pounds.	Feet.	Inches.	Pounds.
5	$7\frac{1}{2}$	133	6	..	155
5	8	135	6	1	160
5	9	140	6	2	165
5	10	145	6	3	170
5	11	150	6	4	175

	Relative weights.
1. Writing from dictation.....	1
2. Handwriting .....	1
3. Spelling .....	1
4. Arithmetic (examples in numeration, addition, subtraction, multiplication, division).....	2
5. Writing from memory the substance of a verbal order.....	1
6. An oral examination from which will be marked experience, general intelligence and an ability to execute orders.....	4
Total.....	<u>10</u>

TEACHERS IN STATE INSTITUTIONS.

Age not less than 21 years at time of application. The schemes of examination will be varied to meet the special requirement of the respective institutions, and so far as practicable will be based on examination for teachers' certificates in the public schools.

ENGINEERING POSITIONS.

Age not less than 21 years at time of application.  
Assistant engineers must have had three years' practical experience, one of which shall have been passed in responsible charge of work. Salary, \$5 to \$6 per day. Levelers must have had two years' practical field experience. Salary \$4.50 per day. For rodmen no actual experience is required, but proper weight will be given to experience in examination. Salary, \$3.50 per day. Salary of chainmen, \$2.50 per day.

Assistant engineers.

- 1. Arithmetic; 2. Geometry; 3. Applied or practical geometry; 4. Plane trigonometry; 5. Mensuration; 6. Use of instruments; 7. Mechanics; 8. Practical construction.

Levelers.

- 1. Arithmetic; 2. Plane trigonometry; 3. Mensuration; 4. Use and adjustment of instruments; 5. Tabulation of field notes; 6. Making profile draughts; 7. Practical construction.

Rodmen.

- 1. Arithmetic; 2. Plane trigonometry; 3. Mensuration; 4. Use of leveling rod.

Chainmen.

- 1. Arithmetic; 2. Use of chain.

## POSITIONS IN STATE HOSPITALS.

**Junior physicians.**

Applicants must be residents of the State of New York and graduates of a legally chartered medical college which is recognized by the University of the State of New York, and have had at least one year's actual experience on the medical staff of a public general hospital, or have served at least one continuous year as medical interne in a State hospital for the insane.

**Women physicians.**

Applicants must be residents of the State of New York and graduates of a legally incorporated medical college. They must be not less than 21 years of age and must have had one year's experience in a hospital, or three years' experience in the general practice of medicine.

**Promotions.**

Promotions may be made between the grades of junior, second assistant and first assistant physicians.

**First assistant physicians.**

Applicants must be residents of the State of New York and graduates of a legally incorporated medical college. They must be not less than 25 years of age, and must have had three years' actual experience in a hospital for the insane.

**Superintendents.**

Applicants must be residents of the State of New York and graduates of a legally incorporated medical college, and not less than 30 years of age, and must have had five years' actual experience as physician in a hospital for the insane. Having passed the required examination, candidates will be eligible for appointment for three years.

**Stewards and Matrons.**

Matrons must be graduates of a State or general hospital training school.

Stewards must be not less than 25 nor more than 55 years of age at time of application.

**Apothecaries.**

Applicants must have a license from the State Board of Pharmacy. Age not less than 21 years at time of application.

## SPECIAL POSITIONS.

Examinations are held as occasion requires for special positions such as pharmacists, electricians, dynamo-tenders, steam engineers and fire-



men, milk, vinegar, butter and cheese experts, draughtsmen, bank examiners, inspectors of materials and construction in the Department of Public Works, and others. The examination in these cases will be mainly upon the technical knowledge required and upon special experience and fitness required for the position.

SCHEDULE C.

In positions in this schedule, where the duties are professional, technical or expert, the nominees or candidates will be required to show what preliminary training or technical education they have undergone to qualify them for such situations before they can be admitted to examination. Minimum limit of age, 21 years.

MEDICAL INTERNES IN STATE HOSPITALS.

To provide for the appointment by State hospital superintendents of physicians who are graduates of not more than three years' standing of a legally chartered medical college, such as is recognized by the University of the State of New York, such appointees to be known and designated as Medical Internes, the number of such medical internes not to exceed two in any one hospital.

No medical interne shall be permitted to remain in the service of any State hospital, as such, after the first Civil Service examination for the position of Junior Assistant Physician occurring subsequent to the expiration of one year's continuous service as such medical interne, unless he shall have passed said examination and been so certified by the Civil Service Commission.

STENOGRAPHERS IN COURTS.

	Relative weights.
1. Accuracy in taking notes of spoken or dictated matter at the rate of at least 150 words per minute.....	3
2. Correctness in transcribing such notes, regard being had to spelling and penmanship.....	4
3. Accuracy in the immediate rendering of spoken or dictated matter, which they will be required to take down and read immediately . . . . .	3
Total . . . . .	<u>10</u>

Court attendants and janitors.

Court attendants and janitors will be examined same as messengers, as above.

## CLERKS IN COURTS.

Clerks whose functions are more or less judicial or discretionary Candidates for the positions in this class will be examined with a view to ascertaining their knowledge of the jurisdiction of the court for a position in which they apply, and their knowledge of the practice of law pertaining to the special duties which they may be called upon to perform.

	Relative weights.
1. The practice of the law relative to the particular duties which they may be required to perform.....	5
2. Questions relating to the jurisdiction of the court for a position in which they apply.....	3
3. Writing from dictation.....	2
4. Copying from manuscript.....	2
5. Handwriting.....	3
6. Spelling.....	2
7. Arithmetic (fundamental rules, fractions, reduction and interest) .....	3
Total.....	<hr/> 20 <hr/>

## OTHER POSITIONS IN SCHEDULE C.

The examinations for other positions in Schedule C will vary greatly, according to the specific character of the duties which the several officers are to be called upon to perform. Candidates must be certified to be free from any defect or disease likely to interfere with the proper discharge of duty. Due weight will be given to special fitness on account of experience.

## SCHEDULE D.

The principal positions in Schedule D are those of attendants, nurses, cooks and similar employes in the State hospitals and like institutions.

The character of the examination in Schedule D will be governed by the nature of the employment which those nominated are respectively called upon to enter. Applicants will, in all cases, be required to write from dictation and to add, subtract, multiply and divide simple numbers. In addition to such written examination candidates will be required to show such practical knowledge of the duties of the position for which they have been nominated as will satisfy the examiners that they possess the requisite qualifications.



## SCHEDULE E.

Promotion examinations will be held from time to time as request for the same shall be made by those having the power of appointment. Promotion will be based in all cases upon the positive merit of the person promoted, and upon his previous service, as shown by the comparative records of the office or institution in which he has been employed, and upon the certificate of his immediate official superior that his efficiency and conduct during his past service has been in all respects satisfactory and entitle him to favorable consideration. The form of the examination will be varied as the necessities of the case may require. Promotion examinations will, as far as practicable, be competitive.

**Instructions to Examiners.**

In order that the proceedings at all places may be uniform, the following instructions are given for the guidance of those selected by the Commission as examiners to conduct the competitive examinations for the State service :

**General instructions.**

1. All necessary arrangements for the examination room and its proper furniture should be completed prior to the date of examination. Examiners are referred to the last clause of section three of the Civil Service Act, wherein permission is granted to use certain public buildings. The desks should be arranged so that competitors can not communicate with each other or copy each other's papers without observation. There should be at least 25 square feet of table for use of the examiners, and this should be so placed that supervision may be had of every desk. Prior to the examination, each desk should be provided with a stand supplied with ink, pen-holders, pens and blotting-pad. It will be of great advantage to secure the services of a competent and trustworthy person to receive the candidates at the examination room, who might also assist the examiners during the day, particularly in distributing the papers to candidates. The attention of all concerned is respectfully invited to the fifth section of the Civil Service Act, which makes penal certain offenses.

**Examination questions, stationery, etc.**

2. The questions will be sent by mail or express in sealed envelopes from the office of the Commission so as to reach each place of examination at least 24 hours before the date of examination, and should be deposited, with seals intact, in some secure place. An



accompanying package will contain the stationery, envelopes and desk cards.

Instructions regarding the admission of candidates to examinations.

3. Each notified applicant must present as a warrant for his appearance the official notification signed by the secretary of the Commission, and no one should be admitted to the examination who does not present such notification. Each applicant should be given an envelope and a desk-card. After indorsing upon his notification the number of the card, he will put the notification in the envelope, seal it and return it to the examiners. The applicant, retaining the card, will then be admitted to the examination as an accepted candidate. No applicant presenting himself after the hour set for the examination should be admitted.

Commencement of examination.

4. All being properly seated the examiners should break the seals and open the package of examination papers and give out to each candidate the sheet numbered "1." To avoid interruption and disturbance, the exercises in spelling, dictation, time test in addition, etc., which must be given to the whole class in unison; will be numbered at the beginning of the series. As each of these exercises is finished all the papers will be collected and the next numbered exercise given. After all these subjects have been completed each candidate should receive the next sheet of questions when he completes and hands in the preceding one, without regard to the progress of other candidates.

No information or aid to be given candidates.

5. Only general explanations should be given to candidates, and those should be limited to methods of procedure. No information or aid in solving questions should be permitted from any source, and vigilance should be exercised to prevent the use of any book or manuscript for such purpose, or copying from the papers of another candidate. No candidate should be allowed to leave the room while engaged upon a paper. One examiner should always be present in the examination room.

Examiners to preserve order, etc.

6. The examiners will preserve order and decorum, and no conversation or unusual noise by the candidates should be permitted. They should not allow any visitors admitted by them to distract the attention of the candidates. The natural nervousness of candidates under examination is apt to be increased by the consciousness that they are

observed, or their work scrutinized by those not officially in charge. Visitors should not be permitted to inspect the answers of candidates. Special care should be taken that nothing regarding the work of the candidates is procured for publication. The examiners hold all the papers in trust for the Commission.

**Time allowed for examination.**

7. The time occupied in the examination on obligatory subjects must not exceed seven hours. If this space be reckoned from the distribution of the first paper, with an allowance of 20 minutes for luncheon, the close of the examination would be 5.30 p. m. Should there occur an accidental delay in opening proceedings, or their suspension through any unforeseen cause, the examiners, in accordance with the twenty-fifth general regulation, will see that the full period of seven hours is allowed, but in no case should such allowance of seven hours be exceeded. Ten minutes before the time of closing the examination, notice of such closing should be given the candidates, and at the close all papers finished and unfinished will be taken up.

**Optional subjects.**

8. A special package of papers for examination on such of the optional subjects as could be prepared in advance, will accompany the other papers.

**Expert penmanship.**

This is an accomplishment of prime importance in some positions and of great value in all of them. The candidate will copy such papers as the examiners may select, and may also exhibit his skill in pen-writing and other styles useful or ornamental in engrossing, copying, recording, preparing tabulated statements, etc. The time occupied will be denoted on the paper by the examiners.

Care must be taken that all such papers are, for the purpose of identification, marked with the candidate's desk number, as on the papers for obligatory subjects.

**Marking and grading.**

In addition to the instructions given in general regulations 26 to 32, special directions as to marking and grading will be given to examiners when deemed necessary by the commission.

At the conclusion of the examination, the examiners (other than the general board at Albany) will carefully pack all the papers and forward them by express to

NEW YORK CIVIL SERVICE COMMISSION,

*Albany, N. Y.*



## Special Regulations for Guidance of Applicants.

There are no fixed dates for examination. Applicants of record will be notified of the time and place of examination.

As provided by Civil Service Rule 9, the following special regulations are issued for the guidance of applicants who may appear as candidates in the competitive examinations for the State service.

Applicants must appear promptly.

1. Applicants must present themselves punctually at the times and places specified in their official notifications. No one will be admitted except upon the production of such notification signed by the secretary of the commission.

### General instructions.

2. Each applicant will be given an envelope and a card inscribed with a number, and he will *retain this card* and endorse plainly the same number on his notification and *place the notification* in the envelope, seal it and return it to the person in attendance, and will then be admitted as an accepted candidate. The number on the card is known as the "desk number," and *such number and the name of the city where the examination is held must be put at the top of every paper used by the candidate in the examination.* This number is necessary as a means of identifying the papers with the name of the candidate when the envelope is opened. *The name of the candidate must not appear on any examination paper.* The desk number is so important that the attention of each applicant is particularly directed to the necessity of a correct and plain endorsement of the number on the notification before it is put in the envelope and sealed.

### Examiners, authority of.

3. The examination will be in charge of examiners appointed by the Civil Service Commission, who will decide all matters and preserve order. They must be obeyed in all respects and are authorized to expel any one guilty of unseemly or disrespectful conduct.

### Stationery furnished.

4. Candidates will be furnished with paper, pens and ink, but those who are accustomed to use any particular pen are advised to bring it with them. Pencils must not be used, and all the writing and figures must be in ink.

### Regarding the writing of answers, etc.

5. Foolscap paper is given each candidate for experimental calculations, but in solving the arithmetical problems the entire process must be given. A simple answer, without such process, will not receive a



maximum mark, even if correct. It is for the interest of the candidates that the full operation be thus shown, since the examiners may thus detect any errors occurring through inadvertence, which might otherwise be attributed to ignorance of methods.

Candidates not to leave, when.

6. No candidate can be allowed to leave the examination room until he has completed the paper on which he is engaged. No changes or corrections in papers can be made after they are given to the examiners.

Conversation, etc., not allowed.

7. No conversation, disturbing noise or actions will be allowed. Whenever a candidate desires an explanation or has completed a paper and wishes the next one he will hold up his hand and one of the examiners or their attendants will visit the desk.

Books or manuscripts not allowed.

8. Candidates are warned not to bring with them for consultation any books or manuscripts; any use of such assistance, either in the examination room or elsewhere during the examination, will lead to the rejection of the offender's papers.

Penalty for copying from another paper.

9. The same penalty will be incurred by any candidate who copies from the paper of another or permits his own paper to be copied, or who receives or gives assistance of any kind, or who writes upon his papers any irrelevant or disrespectful remarks.

Candidates advised to bring luncheons.

10. Candidates are recommended to bring their luncheons with them. It is desirable to complete the examinations in a single day, and the time consumed in going out for a meal would seriously abridge a candidate's available time for work.

Time allowed, etc.

11. The time allowed for the obligatory examination is seven hours, with an additional allowance of twenty minutes for luncheon. This time can not be extended, but the examiners will not include any general delay, interruption or suspension of proceedings through accidental causes. In this connection candidates are advised, as a precautionary measure, to carefully study the scheme of examination, in order to make an approximate allowance of time for each subject. The seven hours is ample for the longest task, *i. e.*, the clerkship scheme, *but candidates are often apt to waste so much time in reviewing and recasting their work, and generally without advantage, that they are hurried in the later subjects, and so often do themselves an injustice which can not be repaired.*

# Rules for the Civil Service of the State of New York,

AS REVISED BY THE NEW YORK CIVIL SERVICE COM-  
MISSION, AND APPROVED BY THE GOVERNOR,  
DECEMBER 10, 1894, WITH AMENDMENTS  
TO JANUARY 1, 1896.

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## Definition of terms.

*Rule 1.* In these rules, and the regulations thereunder, the term "Commission" indicates the Civil Service Commission of the State of New York, and the positions now comprised in, or hereafter entered in, the classification shall, in the aggregate, be taken as the civil service of the State, referred to herein, and the term "public service" shall be taken to comprehend all persons in the service of the State, without regard to such classification.

## Political contributions.

*Rule 2.* No person in the public service is, for that reason, under any obligation to contribute to any political fund or purpose, or to render any political service, and no person shall be removed or otherwise prejudiced for refusing so to do.

## Official authority to coerce political action prohibited.

*Rule 3.* No person in the public service has the right to use his official authority or influence to coerce the political action of any person or body.

## Places to be classified; transfers in schedules to be published.

*Rule 4.* For the purpose of indicating the manner in which selections shall be made for filling the positions in the civil service, when vacant such positions shall be enrolled by grade or name in some one of the five schedules, designated respectively as A, B, C, D and E, which schedules are hereto annexed. The right is reserved to transfer, hereafter, any position from one schedule to another, as from time to time the conditions of good administration or the general interests of the public service may require, in which case prompt publication of any such transfer will be made to all concerned.



Schedule A to include deputies; confidential officers; fiduciary officers, etc.

*Rule 5.* Schedule A shall include the deputies of principal officers, duly authorized by law to act for their principals; all officers, clerks and others whose official relations are necessarily strictly confidential to the head of the office in which they serve; officers or others under official bonds as security for the collection, custody or disbursement of public moneys, or who, by virtue of their position, have the custody of public moneys, for the safe-keeping of which any officer must give bonds, and such other positions as may now or hereafter be included in this schedule, according to law.

Schedule A positions may be filled without examinations; officers to report appointments.

*Rule 6.* The appointments to positions comprised in Schedule A may be made without examination under these rules, but such examinations may be had upon the request of the appointing officer. Appointing officers must notify the Commission, in writing, of all appointments to such positions within five days after the same are made.

#### Schedule B.

*Rule 7.* Schedule B shall include all positions now existing or hereafter created, of whatever designation, in any branch of the State service which are not specifically designated in Schedules A, C or D, or exempted by law, in the following grades:

*First Grade.* Employes receiving an annual compensation of less than \$1,000.

*Second Grade.* Employes receiving an annual compensation of \$1,000 or more, but less than \$1,200.

*Third Grade.* Employes receiving an annual compensation of \$1,200 or more, but less than \$1,500.

Schedule E shall include all positions, of whatever designation, in any branch of the State service, in the following grades:

*Fourth Grade.* Employes receiving an annual compensation of \$1,500 or more, but less than \$1,800.

*Fifth Grade.* Employes receiving an annual compensation of \$1,800 or more, but less than \$2,000.

*Sixth Grade.* Employes receiving an annual compensation of \$2,000 or more, but less than \$2,500

*Seventh Grade.* Employes receiving an annual compensation of \$2,500 or more.



**Schedule B positions competitive.**

*Rule 8.* Appointments shall be made or employment shall be given in the positions in Schedule B by selection from those persons graded highest, as the results of open competitive examinations. The positions in Schedule E shall be filled, when vacant, by the promotion of those in the service in the lower grades in the department, office or institution in which the vacancy or vacancies may occur. Promotions shall be made subject to the provisions of these rules, by the officer or officers having the power of appointment. If, in the judgment of such officer or officers, there be none found in the lower grades fit to perform the duties in such vacant positions, in that case, and in no other, the positions may be filled in the same manner as is prescribed by these rules for filling the positions in the lowest grade. Promotions shall be made by successive grades; in case of vacancy in any position in this schedule, it shall be filled by selection from the next inferior grade, if there be any person in such grade fit for promotion; and if there be no such person, then the promotion shall be made by selection from the next inferior grade, and so on until the inferior grades are exhausted, and no person therein found fit, when the positions shall be filled in the same manner as heretofore provided for filling positions in grades one, two and three.

All positions now existing or hereafter created, not excepted by law from classification, shall be deemed to be in Schedule B, unless the assignment of such positions to some other schedule be made by the Commission. To procure such assignment to Schedules A, C or D, application must be made to the Commission in writing by the appointing officer or board before making any appointment, and any assignment made by the Commission shall be in writing, and notice thereof given to the appointing officer or board. Unless such application to the Commission be made by the appointing officer or board in advance of the appointment there shall be no transfer to another schedule except by the Governor.

**Competitive examinations to be practical, time and place of; notice to be given.**

*Rule 9.* The competitive examinations shall be practical in their character, and with paramount regard to those matters which will fairly test the relative capacity and fitness of the persons examined for the service which they seek to enter. The examinations shall be held at such times and places as the Commission may designate, and ten days' previous notice of each examination will be mailed to all eligible applicants of record. Special regulations in which the parti-

cular conditions (if any) of the examination will be specified will be issued, when deemed expedient by the Commission, prior to the examinations.

**Applications for examination; what to contain.**

*Rule 10.* All regular applications for admission to such competitive examinations will be on blanks in a form prescribed by the Commission, and the applicant must state therein, on oath, and in his own handwriting: 1. His full name, residence and post office address. 2. His term of residence in this State. 3. His citizenship. 4. His date of birth. 5. His place of birth. 6. His previous employment in the public service, if any. 7. His business or employment for the last preceding five years. 8. His education. 9. If in the military or naval service in the United States in the late war, give name of organization or vessel to which attached, date of enlistment or commission, position or rank, date and cause of discharge from the service, and any physical disability incurred in such service. 10. Such other information must be furnished as the Commission may reasonably require, touching the applicant's fitness for the public service.

The application must be accompanied (1) by a certificate of a practicing physician in good repute, that he has examined the applicant and found him free from any physical defect or disease that would be likely to interfere with the proper discharge of his duties in the position in the Civil Service sought by such applicant; (2) by the certificate of not less than three nor more than five reputable citizens of this State that they have been personally acquainted with the applicant for at least one year, and believe him to be of good moral character, of temperate and industrious habits, and in all respects fit for the service he wishes to enter, and that they are willing that such certificate shall be published for public information; and (3) if the applicant is an honorably discharge soldier or sailor of the late war, by the Adjutant-General's certificate of his honorable discharge, or other satisfactory evidence of the same. The applicant must also state in his application the position in the schedule he seeks to enter, and whether he limits such application to any particular department, office or institution.

**Defective applications.**

*Rule 11.* Defective applications will be suspended and applicants notified to amend the same, but no such notice will be given or opportunity granted a second time. Whenever the application shows that the applicant is not within the prescribed limits of age, or otherwise



not qualified under the rules and regulations, or is manifestly unfit for the service, the application will be rejected.

Applications to be filed, etc.; notification to appear; soldiers, etc., preferred.

*Rule 12.* The date of the reception of all applications shall be endorsed thereon, and entered of record by the Commission, and if the applicants for admission to any grade are in excess of a number that can be examined at a single examination, they will be notified to appear in their order on the respective records, provided that persons who have been honorably discharged from the military or naval service of the United States in the late war shall have precedence in such notification.

Boards of examiners to be designated.

*Rule 13.* For the purpose of making examinations of applicants from time to time, as may be required, the Commission will designate and select, at Albany and other places, a suitable number of persons to be members of boards of examiners, and will duly commission such persons as examiners; and the Commission may at any time substitute any other person in place of any one so selected. When persons selected as examiners are in the official service of the State, the head of the department or office in which such person serve shall be consulted; and in the discharge of their duties as examiners the persons so selected from the official service will be responsible solely to the Commission, and will act under its regulations and direction.

Chief examiner to prepare lists of subjects for examination, etc.; standing of applicants, how determined.

*Rule 14.* Under the direction of the Commission the chief examiner will prepare a list of subjects of examinations for the several positions in this schedule, upon which each applicant must be examined. To such list of obligatory subjects there may be added certain other subjects in which the applicant may be examined or not, at his option. The general standing of each applicant shall depend solely upon his relative proficiency in the obligatory subjects. For the purpose of determining the general average standing, certain relative weights will be given to the obligatory subjects, which weights shall be adjusted to the relative importance of the subjects.

Minimum standing.

*Rule 15.* No person examined for a position in any schedule whose standing on any obligatory subject, to which a weight of more than one is assigned in a scheme of marking, is less than fifty, or whose



ascertained average standing on all the obligatory subjects is less than seventy, will be entered upon the eligible list.

Names of successful candidates to be entered in register, etc.

*Rule 16.* The names of the persons who have passed above the minimum, as set forth in the previous rule, will be entered upon a register in the order of their excellence, and opposite each name will be entered the standing of such person in each optional subject in which he may have been examined.

Manner of certification; appointments.

*Rule 17.* 1. Whenever an officer having the power of appointment to or employment in any grade in schedule B shall request a certification from which to make an appointment, the Commission shall certify to him as follows: (1) When the names of three or more honorably discharged soldiers or sailors shall be on the eligible list, there shall be certified not more than two names in excess of the number of places to be filled; (2) when less than three names of honorably discharged soldiers or sailors appear on the eligible list then all such soldiers or sailors shall be certified together with the names of those persons, not exceeding two in number, who are graded highest on said eligible list; (3) in all cases, except as above, the Commission shall certify the names of the three eligible persons who are graded highest on the proper register, preference being given to sex if desired by appointing officers.

2. From the persons whose names are so certified the officer shall make selection to fill the vacant place, subject, however, to the provisions of law giving preference in appointment to certain persons.

3. Whenever such request shall indicate that proficiency in any of the specified optional subjects is of prime importance in the position to be filled, the Commission may certify the names of the three persons on the eligible list having the highest standing (not being below the minimum of seventy) on such optional subjects. The Commission shall have power to order a new or special examination whenever there are no persons on the eligible list sufficiently qualified in such optional subjects, or whenever an appointing officer shall apprise the Commission that any special qualifications are required for the position vacant. All positions filled by selections based on optional or special subjects will be especially noted in the published gazette of appointments, and in the official register of qualifications and schemes for examination as being special positions in respect to such qualification.

4. In the selection from the persons whose names are certified as above by the Commission, the appointing or employing officer, upon

his written requisition therefor, will be furnished with the application and examination papers of all the persons so certified, and in the exercise of his responsible power of selection he may summon personally before him the certified persons for such verbal inquiries as he may deem proper. All papers furnished upon requisition as above, must be returned to the Commission with the notice of selection.

Applicants to pass physical examination, when.

*Rule 18.* Whenever physical qualifications are of prime importance in the proper discharge of duties in any position, applicants must pass a physical examination and be certified as qualified in such respect before record on the proper eligible list for selection for such position, or before certification by the Commission as qualified for such selection

Same person certified to same officer three times only, unless, etc.; eligible list, term of; name may be stricken from, when; persons not admitted to new examination in same year, etc.

*Rule 19.* 1. No person on any register shall be certified more than three times to the same officer, except upon request of such officer; nothing herein contained, however, shall apply to the certification of honorably discharged soldiers and sailors, and such honorably discharged soldiers and sailors shall continue to be certified so long as the names of any such are upon the eligible lists; nor shall any one remain eligible more than one year on any register.

2. Upon satisfactory evidence produced to the Commission that any person whose name is on any eligible list is, by reason of his character, habits or past reputation, unfit for admission to the Civil Service, the name of such person shall be formally stricken from such eligible list.

3. No person who has failed in any examination for a position in Schedule B or C shall be admitted, within one year from the date thereof, to a new examination for the same grade.

Examinations for positions in Schedule C discretionary with appointing officer; methods enumerated.

*Rule 20.* The positions in Schedule C may be filled by the appointing officer in his discretion in respect to the manner of examination. The discretion of the officer in such cases shall be limited as follows: (1) He may select from the three persons graded highest as the result of an open competitive examination; (2) he may name to the Commission three or more persons for competitive examination, and appoint the one graded highest in such examination; or (3) he may appoint or employ any person named by him who upon a non-compet-



itive examination shall be duly certified by the Commission as qualified to discharge the duties of the position.

Competitive examinations for Schedule C positions.

*Rule 21.* Competitive examinations for positions in Schedule C will be subject to the same general provisions as prescribed in rules 8 to 18, both inclusive. If the competition be an open one, the public notice thereof shall denote the special qualifications in which competitors shall be examined. Before admission to a limited competition, the nominees must file with the commission the certificates required by rule 10.

Non-competitive examinations for Schedule C positions.

*Rule 22.* 1. Upon the non-competitive examination into the qualifications of a person named to the commission for a position in this schedule, the Commission will give a certificate to such person only when satisfied:

*First.* That he is within the limits of age prescribed for the position or employment to which he has been named.

*Second.* That he is properly certified as free from any physical defect or disease which would be likely to interfere with the proper discharge of his duties.

*Third.* That his character is such as to qualify him for such position or employment; and

*Fourth.* That he possesses the requisite knowledge and ability to enter on the discharge of his official duties.

2. An officer naming to the Commission a person for examination, will, at the same time, transmit his certificate that after due inquiry he is satisfied that the character and habits of the person named fit him for the Civil Service, and will append to the certificate such formal vouchers or credentials as to character as he may desire to have considered or put on file. In the determination of character or habits of the nominee, the certificate thereof by the nominating officer will be considered as essential.

Subjects, scope of examination, etc., to be published in annual report.

*Rule. 23.* In determining the limits of age and the subjects and scope of the examination into the qualifications of each position as defined in the fourth clause of the preceding rule, the head of the department, office or institution where such position is to be filled, shall be consulted by the Commission, or where the position is in common to several offices or institutions, the several heads thereof shall be so consulted, and the regulations finally adopted for each position shall be published in the annual reports of the Commission. Differences arising under this rule between heads of departments, offices and in-



stitutions and the Commission shall be reported to the Governor, whose decision in such case shall be final and conclusive.

Vacancy in Schedule C position, how filled.

*Rule 24.* Whenever a vacancy in this schedule in any department, office or institution is to be filled, the officer having the authority to fill the same shall notify the Commission which of the three methods in his discretion under rule 20 he selects, and if the choice be by an open competition, the Commission shall proceed as for an examination under Schedule B, but if the choice be by a limited competition or by the appointment of a person to be duly certified by the Commission as qualified, the officer aforesaid shall name in such notification the person or persons to be examined, and the Commission shall thereupon instruct the proper board of examiners and shall notify the person or persons so named of the time, place and special regulations for the examination, and the chief examiner shall supervise the preparation of proper questions and other inquiries to test the qualifications of such person or persons.

Boards of Examiners for positions in Schedules C and D, etc.; special examiners; examiners to report violations.

*Rule 25.* The examiners for positions in Schedules C and D will be selected in the same manner and subject to the same rules and regulations as the examiners provided for in Rule 13.

Regular boards of examiners may be authorized to conduct examinations of persons duly cited to appear before them for positions in any schedule. Whenever the peculiar duties devolved upon any position or class of positions may so require, special examiners will be designated and commissioned. All examiners for the civil service will promptly report to the Commission any violation of the provisions of the fifth section of the Civil Service Act.

Schedule D positions, how filled; vacancies, how filled, etc.

*Rule 26.* The positions in Schedule D must be filled by such persons as upon proper non-competitive examination shall be certified as qualified to discharge the duties of such position by an examiner or examiners selected or appointed for that purpose by the Commission. The head of any office, department or institution in which there may be a vacancy or vacancies in any position or positions in this schedule, may name for examination a person for each vacancy. The Commission may provide by special regulation that in any institution where a number of persons are employed in the same grade, the employing officer may name for examination more than one person, in order that there may be a list of qualified persons from which to make an immediate selection in case of vacancy. Such

nominations may be made to the Commission, or to an examiner or board of examiners, as the Commission may prescribe by regulations. Examinations for Schedule D positions; scope and details, how determined.

*Rule 27.* Examinations for positions in Schedule D shall be in all the four classes of qualification defined in Rule 22, and their scope and details shall be determined in the manner directed in Rule 23. The examiner or examiners will be instructed by the Commission in general or special regulations as to the standard, scope and methods of examination, the methods of certification and the character of the records and reports to be made.

Promotions to be based upon merit; records of efficiency, etc., to be kept in departments; examinations for promotion.

*Rule 28.* Promotion will, in all cases, be based upon the positive merit of the person promoted, and upon his superior qualifications, as shown by his previous service. There shall be kept in every department, office and institution, proper comparative records of the efficiency, punctuality, attention and general good conduct of all persons employed therein. Examinations for promotions shall be based upon the actual work of the persons named therefor, as exhibited in the records of the office where they have been employed, and upon the certificate of their immediate official superiors, that their efficiency and conduct during their past service has been in all respects satisfactory and entitles them to favorable consideration.

Recommendations for promotion not to be received unless, etc.; other recommendations unwarranted.

*Rule 29.* No recommendation of any person for promotion shall be entertained or received unless made in the regular course of duty by his immediate official superiors, and the presentation of any recommendation other than that of such superiors will be considered an unwarrantable interference with the public service, and the person so recommended may be required to show, before being certified for promotion, that such recommendation was not made by his request or connivance.

Temporary appointment not to be made of persons ineligible for permanent place; officers before appointing to certify character of service, etc., Commission to certify names; second temporary appointment not to be made unless, etc.; appointments to be reported to Commission.

*Rule 30.* No temporary appointment or employment shall be made of any one not eligible for permanent employment, except as hereinafter provided.



Every officer having the power of such employment shall, previous to making the same, certify to the Commission the duration and character of the service to be rendered and the rate of compensation to be paid therefor. When such duration of term of service is certified to be for a longer period than one month, the Commission shall certify to the appointing officer, in accordance with Rule 17, the names of three persons who, upon inquiry, are found willing to accept such temporary appointment, and from the three so certified a selection shall be made for the temporary service required. When the duration of service is certified not to exceed one month, and the need of such service to be immediate and urgent, the appointing officer may select for such temporary service any person on the proper register of those eligible for permanent appointment; subject, however, to the provisions of law giving preference in appointment to certain persons; except that temporary appointment of officers may be made, for not more than five days in any case, to transfer prisoners from one prison to another, or as substitutes for regular officers who are necessarily absent, engaged in this duty. When the character of the service is exceptional, and in the judgment of the Commission a competitive examination is not practicable, the application of this rule may be suspended or modified in such manner as the Commission may deem proper.

No person appointed under this rule, except those appointed as herein provided for the transfer of prisoners, shall be appointed temporarily a second time unless sixty days shall have elapsed since the termination of his previous term of temporary service, and every temporary appointment without examination must be reported to the Commission, forthwith, with the reason for the same. A leave of absence may be granted, for a period not to exceed six months, to persons employed under these rules, upon showing satisfactory reasons therefor to the Commission.

When any person filling a position to which he has been appointed under the Civil Service rules, shall have resigned or otherwise been displaced without fault being charged, he shall be eligible for reinstatement to the same position within one year from the date of such displacement, without re-examination.

Citizens and residents of State, only, to be appointed; exceptions; age limits.

*Rule 31.* No person shall be appointed to any position in the Civil Service unless he is a citizen of the State and an actual resident thereof at the time of his application or nomination. This restriction



shall not apply to the following positions in Schedule B, to wit: Guards and overseers, State reformatory, Elmira: in Schedule D, to wit: Attendants, nurses and orderlies in asylums and hospitals and similar institutions.

Any other exceptions from such restriction, made by special regulation of the Commission, shall be reported by it to the Legislature with the reasons therefor.

The minimum age for positions in Schedule B of the State classification shall be 21 years at the time of application; except that for the positions of messenger, stenographer and typewriter, the minimum age shall be 18 years; for junior clerks, the minimum age shall be 16 years and the maximum age 21 years; for pages, the minimum age shall be 14 years and the maximum age 18 years.

Political affiliations not to be regarded, etc.

*Rule 32.* In the selection, nomination or appointment of persons to fill positions in Schedules B, C and D, or promotion of persons to positions in Schedule E, no regard shall be paid to the partisan political opinions, affiliations or action of any person so selected, nominated, appointed or promoted.

Transfers and promotions after examinations; without examination, when.

*Rule 33.* No transfer or promotion shall be made from a position in any schedule to a position in any other schedule except by virtue of the examination and certification prescribed under the rules for admission to such schedule. Transfer without examination may be made from a position in one department, office or institution to a similar position in another department, office or institution upon the mutual consent of the heads of the respective departments, office or institutions.

When application to be rejected.

*Rule 34.* Any application for a position in the Civil Service, made in contravention of the provisions of the ninth or thirteenth sections of the Civil Service Act, must be rejected.

Disclosure of political affiliations not to be called for.

*Rule 35.* No question in any examination or proceeding, by or under the Commission or examiners, shall call for the expression or disclosure of any partisan political opinion or affiliation of any person, whatever, nor shall any discrimination be made by reason thereof; and the Commission and its examiners shall discountenance all dis-

closure before either of them, of such partisan opinion or affiliation by or concerning any applicants for examination, or by or concerning any person on any register awaiting appointment or employment.

Every original appointment for probationary term; services to be observed and reported.

*Rule 36.* Every original appointment or employment in the Civil Service shall be for a probationary term of three months, at the end of which time if the conduct and capacity of the person appointed or employed shall have been found satisfactory, the probationer shall be absolutely appointed or employed, but otherwise his employment shall cease.

Every officer under whom any probationer shall serve during any part of such probation shall carefully observe the quality and value of the services rendered by such probationer, and shall report in writing to the proper appointing officer the facts observed by him, showing the character and qualifications of such probationer, and of the service performed by him ; and such reports shall be preserved on file.

False statements, etc., cause for removal.

*Rule 37.* Every false statement knowingly made by any person in his application for examination, and every connivance by him at any false statement made in any certificate which may accompany his application, or any willful complicity by him in any fraud to improve his standing upon examination, shall be regarded as good cause for removal or discharge of such person during his probation.

Provisional appointments, when may be made; to be reported.

*Rule 38.* If for any sufficient reason it shall be impracticable to supply the names of persons who have passed a competitive examination in due season, for any appointment or employment in any position in Schedule B, a provisional appointment may be made of a person who has passed a non-competitive examination under the direction and regulation of the Commission ; but the next report shall give the reason for such resort to non-competitive examination.

Appointing officers to report to commission appointments, transfers, removals, etc.; officer who appoints or promotes persons to notify fiscal officer before certifying any account for services.

*Rule 39.* All persons having the power of appointment to or employment in any position in the Civil Service, must forthwith give notice in writing to the Commission of the name and place of residence of any person selected for appointment or employment in any position,



of the rejection of any such person after probation, and of the transfers, promotions, resignations and removals, discharge or death of all persons serving under them, with the dates thereof, in accordance with the provisions of chapter 681 of the Laws of 1894.

Honorably discharged soldiers and sailors' to be preferred for appointment, etc.

*Rule 40.* Persons who have been honorably discharged from the army or navy of the United States in the late war, and whose qualifications and fitness have been ascertained under these rules, by competitive examinations, shall be preferred for appointments to positions in the Civil Service of the State over all other persons, though graded lower than the others so examined, and the persons thus preferred shall not be disqualified from holding any position in the Civil Service on account of their age, nor by reason of any physical disability, provided such age or disability does not render them incompetent to perform the duties of the position applied for.

Power of appointment and removal in appointing officer, etc.

*Rule 41.* Subject only to the qualifications required to be ascertained in accordance with these rules, the power of appointment and the responsibility of selection are in all cases in the appointing officer. The power to remove (existing by law) on the part of any officer is not impaired by anything contained in these rules.

Commission to publish gazette of appointments, promotions, removals, etc.

*Rule 42.* The Commission will cause to be published at such regular periods as it may deem proper, a gazette of all appointments, promotions, resignations, removals and other changes in the Civil Service and in case of appointment, may publish the names of the persons certifying the good character of the appointee.

Commission to make regulations, prescribe blanks, etc.

*Rule 43.* The Commission will make appropriate regulations for carrying these rules into effect, and may prescribe blank forms for all applications, certificates, records and returns required under the rules or regulations made in pursuance thereof.

ATTEST:

[L. s.]

CLARENCE B. ANGLE, *Secretary.*

*Approved, December 10, 1894.*

ROSWELL P. FLOWER, *Governor.*



# Classification of the Civil Service of the State of New York.

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AS ADOPTED BY THE NEW YORK CIVIL SERVICE COMMISSION, SEPTEMBER 10, 1894, AND APPROVED BY THE GOVERNOR OCTOBER 16, 1894, WITH AMENDMENTS TO JANUARY 1, 1896.

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## Positions not Classified.

All persons appointed by the Governor or elected by the people, and the subordinates of any such officer for whose errors or violations of duty said officer is financially responsible, and any subordinate officer who, by virtue of his office, has personal custody of public moneys or public securities for the safekeeping of which the head of the office is under official bonds.

## Positions in Schedule A.

### *Rule 6.*

The appointment to positions comprised in Schedule A, may be made without examination under these rules, but such examinations may be had upon the request of the appointing officer. Appointing officers must notify the commission in writing, of all appointments to such positions within five days after the same are made.

In the office of the Secretary of State :

The deputy.

In the office of the Comptroller :

The deputy.

The confidential clerk.

The confidential clerk in the Bureau of Charitable Institutions.

In the office of the Treasurer :

The deputy.

The cashier.

In the office of the Attorney-General :

The deputies.

The assistant in New York city :

In the office of the State Engineer and Surveyor :

The deputy.

The resident and division engineers.

Three principal assistants and three designers of structures under the Canal Improvement Law.

In the Insurance Department :

The deputies.

The cashier.

The chief actuary.

The private secretary.

In the Banking Department :

The deputy.

The private secretary.

In the Department of Public Instruction :

The deputy.

The chief clerk.

The institute lecturer.

The conductor of institutes.

The financial clerk.

Three assistant superintendents, per chapter 988, Laws 1895.

The confidential clerk and stenographer.

In the State Prisons :

The chaplains.

In Sing Sing Prison :

The State detective.

In the office of the clerk of the Court of Appeals :

The clerk.

The deputy clerk.

The reporter.

The financial clerk.

In the office of the Railroad Commission :

The secretary.

In the office of the New Capitol Commission :

The clerk.

In the office of the Prison Commission :

The secretary.

In the Department of Public Works :

The assistant superintendents.  
The superintendent of repairs.  
The special agents.  
The financial clerk.

In the office of the State Land Survey :

The general assistants.  
The local experts.  
The inspectors.

In the office of the Board of Charities :

The secretary.

In the office of the Regents of the University :

The secretary.  
The directors of examinations :  
The honorary university examiners.  
The medical examiners.

In the Department of Public Buildings :

The deputy superintendent.

In the office of the State Commission in Lunacy :

The secretary.

In the State hospitals and asylums :

Treasurers.  
Chaplains.

In the office of the Board of Claims :

The clerk.

In the office of the Board of Health :

The secretary.

In the Bureau of Statistics of Labor :

The chief clerk.

In the office of the Fisheries, Game and Forest Commission :

The secretary.  
The auditing and pay clerk.  
The general superintendent of hatching stations.

In the office of the New York Civil Service Commission :

The secretary.

In the office of the Commissioner of Agriculture :

The assistant commissioners :



In the office of the Board of Mediation and Arbitration:

The secretary.

In the office of the Commissioners of the State Reservation at  
Niagara:

The secretary and treasurer.

In the office of the Adjutant-General:

The assistant adjutant-general.

In the office of the Inspector-General:

The assistant inspector-general.

In the office of the Chief of Ordnance:

The assistant chief of ordnance.

At the State Weather Bureau, Cornell University:

The meteorologist.

The secretary and expert.

At the Agricultural Experiment Station, Geneva:

The director.

The assistant director.

In the State School for the Blind, Batavia:

The musical director.

In the office of the Chief Game and Fish Protector:

The clerk.

In the State Reformatory at Elmira:

The chaplain.

In the State Industrial School at Rochester:

The chief of the department of discipline.

The parole agent.

The chaplains.

In the House of Refuge for Women at Hudson:

The clerk of the board of managers.

In the Soldiers' and Sailors' Home at Bath:

The superintendent.

The adjutant.

The quartermaster.

The surgeon.

The assistant surgeon.

The assistant to the quartermaster.

The bookkeeper.

The treasurer's clerk.

The clerk.

The engineers.

The assistant engineers.

In the office of the Quarantine Commission ;

The secretary.

In the office of the Board of Port wardens :

The secretary.

The collector.

In the office of the Health Officer of the Port of New York :

The deputy health officers.

In the office of the Shore Inspector :

The deputies.

In the office of the Board of Excise, New York :

The secretary.

The counsel.

The cashier.

The assistant cashier.

Four special detectives

Eight special agents.

In the office of the Commissioners of Subways, Brooklyn :

The secretary.

In the courts :

The chief clerk of each court.

The police clerk and interpreter of each magistrate's court, New York city.

The secretary of the board of police magistrates, New York city

Interpreter, court of special sessions, New York city.

The assistant clerk of each district court, New York city.

Special clerk to each Judge of the Appellate Court.

All legislative employes.

### Positions in Schedule B.

#### *Rule. 7.*

Schedule B shall include all positions now existing or hereafter created, of whatever designation, in any branch of the State service which are not specifically designated in Schedules A, C or D, or exempted by law, in the following grades :

*First Grade.* Employes receiving an annual compensation of less than \$1,000.

*Second Grade.* Employes receiving an annual compensation of \$1,000 or more, but less than \$1,200.

*Third Grade.* Employes receiving an annual compensation of \$1,200 or more, but less than \$1,500.

*Rule 8.*

Appointments shall be made or employment shall be given in the positions in Schedule B by selection from those persons graded highest, as the results of open competitive examinations.

**Positions in Schedule C.**

*Rule 20.*

The positions in Schedule C may be filled by the appointing officer in his discretion in respect to the manner of examination. The discretion of the officer in such cases shall be limited as follows: (1). He may select from the three persons graded highest as the result of an open competitive examination ; or (2) he may name to the Commission three or more persons for competitive examination, and appoint the one graded highest in such examination ; or (3) he may appoint or employ any person named by him who, upon a non-competitive examination, shall be duly certified by the Commission as qualified to discharge the duties of the position.

Schedule C shall include the following :

In the office of the Secretary of State :

The chief clerk.

The cashier and bookkeeper.

In the office of the Comptroller :

The chief tax clerk.

The land (or first assistant) tax clerk.

The corporation tax clerk.

The chief clerk of the bureau of canal affairs.

The agent for State lands.

The excise agents.

The corporation examiners.

In the office of the Attorney-General :

The chief clerk.

In the office of the State Engineer and Surveyor :

The chief clerk.

In the office of the Board of Health :

• The sanitary experts.

The cattle inspectors.



In the office of the Factory Inspector :

The private secretary.

In the office of the Fisheries, Game and Forest Commission :

The special agent for the appraisement of lands and examiner of titles.

The special agent for the detection of frauds.

In the office of the State Historian :

The stenographer.

In the State Library :

Librarians and their assistants.

In the State Museum :

Geologists, botanists, entomologists and their respective assistants.

In the Department of Public Buildings :

Foreman, tallymen, janitors, carpenters, keymen, machinists.

On the Onondaga Salt Works :

The superintendent.

The deputy.

In the State Prisons :

The agent and warden.

The clerk.

The assistant clerk.

The steward.

The matron.

The superintendents of industries.

The purchasing agents, Manufacturing Department.

The superintendent of construction, Building Department.

The architect and foreman, Building Department

In the State Reformatory at Elmira :

The superintendent.

The assistant superintendent.

The military instructor.

The assistant military instructors.

The physician.

In the State Hospitals and Asylums :

The medical internes.

In the Thomas Orphan Asylum at Versailles

The physician.

The matron.

The kindergarten teacher.

In the State Industrial School at Rochester :

The superintendent.

The physician.

The steward.

The matron.

The accompanist.

In the House of Refuge for Women at Hudson :

The superintendent.

The steward.

The matron.

In the House of Refuge for Women at Albion :

The superintendent.

The steward.

The matron.

The physician.

In the Institution for Feeble-Minded Children at Syracuse :

The superintendent.

The steward.

The matron.

The physician.

In the Custodial Asylum at Newark :

The superintendent.

The matron.

The physician.

In the State School for the Blind at Batavia :

The superintendent.

The steward.

The matron.

The physician.

The head teacher, Literary department.

In the office of the Health Officer of the Port of New York :

The superintendent of Fire Island.

In the office of the Quarantine Commission :

The stewards.

The inspectors of quarantine hospitals.

In the local Health Departments :

The sanitary experts.

The health officers.

In the courts:

Criers

Attendants.

Marshals.

Stenographers.

Assistant clerks.

Clerk's assistants.

Subpœna clerks.

Librarians.

Janitors.

### Positions in Schedule D.

#### *Rule 26.*

The positions in Schedule D must be filled by such persons as upon proper non-competitive examination shall be certified as qualified to discharge the duties of such position by an examiner or examiners selected or appointed for that purpose by the Commission. The head of any office, department or institution, in which there may be a vacancy or vacancies in any position or positions in this schedule, may name for examination a person for each vacancy. The Commission may provide by special regulation that in any institution where a number of persons are employed in the same grade, the employing officer may name for examination more than one person, in order that there may be a list of qualified persons from which to make an immediate selection in case of vacancy. Such nominations may be made to the Commission or to any examiner or board of examiners as the Commission may prescribe by regulations.

Schedule D shall include the following:

In the office of the Comptroller:

Watchman.

In the office of the Treasurer:

Watchman.

In the Insurance Department:

Watchman.

In the Department of Public Instruction:

Porters.

In the Department of Public Buildings:

Porters.

Upholsterers.

In the Department of Public Works:

The harbor masters.



In the State Hospitals and Asylums :

Watchmen, policemen, barbers, storekeepers, supervisors, nurses, attendants, ward-helpers, housekeepers, chefs, cooks, bakers, meat-cutters, launderers, laundresses, linemen, plumbers, steam-fitters, firemen, master mechanics, carpenters, painters, blacksmiths, foremen, tailors, shoemakers, printers, book-binders, farmers, dairymen, gardeners, florist, conductors.

In the office of the Fisheries, Game and Forest Commission :

The chief protector.

The protectors and foresters.

Two assistants to the chief game and fish protector.

The oyster protector.

The assistant oyster protector.

In the office of the Adjutant-General :

Keeper military bureau.

Janitor military bureau.

In the office of the Chief of Ordnance :

Watchman.

On the Onondaga Salt Works :

Inspectors, assistant inspectors, receivers, overseers, assistant, overseers, supervisors, engineers.

In the State Prisons :

The watchmen.

The machinists.

The assistant matrons.

The foremen, Manufacturing Department.

The examiners, Manufacturing Department.

In the Prison for Women at Auburn :

The attendants.

In the State Reformatory at Elmira :

Hospital stewards, watchmen, machinists, firemen, overseers, office boys.

In the State Industrial School at Rochester :

Nurses, housekeepers, patrolmen, yard officers, dining-room, officers, dormitory officers, guard house officers, farm guards, gatekeepers, assistant matrons, caretakers, attendants, cooks, superintendent of hospital, superintendent of kitchen, milk sterilizer, dentist.

In the House of Refuge for Women at Hudson :

Assistant matrons, supervisors, assistant supervisors, watchmen, marshals, storekeeper, firemen.

In the Thomas Orphan Asylum at Versailles :

Attendants, cooks, head farmer.

In the House of Refuge for Women at Albion :

Assistant matrons, firemen, storekeeper, seamstresses, cooks, nurses.

In the Institution for the Blind at Batavia :

Assistant matrons, housekeepers, ushers, storekeeper, bakers, cooks, laundresses, firemen, florists, carpenters, yardmen, janitors.

In the Soldiers' and Sailors' Home, Bath :

Cooks, blacksmiths, linemen, steam fitters, firemen, carpenters, nurses.

In the Department of the Quarantine Commission :

Firemen, cooks, boatmen, carpenters.

In the Department of the Health Officer of the Port of New York :

Shipkeepers, firemen, fumigators, nurses, watchmen.

Sanitary inspectors appointed or employed under the general health act.

### Positions Classed as Laborers.

In the Department of Public Works :

Patrolmen, lock-tenders, watchmen, foremen, cooks, teamsters, boat-captains, boat-commanders, water-boys, pavers, feeder-tenders, carpenters, reservoir-tenders, pilots, firemen, cranesmen, bridge-tenders, deck-hands, painters, blacksmiths, weighmasters, divers and janitors.

### Positions in Schedule E.

#### *Rule 28.*

The positions in Schedule E shall be filled, when vacant, by the promotion of those in the service in the lower grades in the department, office or institution in which the vacancy or vacancies may occur. Promotions shall be made, subject to the provisions of these rules, by the officer or officers having the power of appointment. If, in the judgment of such officer or officers, there be none found in the lower grades fit to perform the duties in such vacant positions, in that case, and in no other, the positions may be filled in the same manner as

is prescribed by these rules for filling the positions in the lowest grade. Promotions shall be made by successive grades; in case of vacancy in any position in this schedule, it shall be filled by selection from the next inferior grade, if there be any person in such grade fit for promotion; and if there be no such person, then the promotion shall be made by selection from the next inferior grade, and so on until all the inferior grades are exhausted, and no person therein found fit, when the position shall be filled in the same manner as heretofore provided for filling positions in grades one, two and three.

Schedule E shall include all positions, of whatever designation, in any branch of the State service in the following grades:

*Fourth Grade.*—Employees receiving an annual compensation of \$1,500 or more, but less than \$1,800.

*Fifth Grade.*—Employees receiving an annual compensation of \$1,800 or more, but less than \$2,000.

*Sixth Grade.*—Employees receiving an annual compensation of \$2,000 or more, but less than \$2,500.

*Seventh Grade.*—Employees receiving an annual compensation of \$2,500 or more.

All positions now existing or hereafter created, not excepted by law from classification, shall be deemed to be in Schedule B, unless the assignment of such positions to some other schedule be made by the Commission. To procure such assignment to Schedule A, C or D, application must be made to the Commission in writing by the appointing officer or board before making any appointment, and any assignment made by the Commission shall be in writing, and notice thereof given to the appointing officer or board. Unless such application to the Commission be made by the appointing officer or board in advance of the appointment, there shall be no transfer to another schedule except by the Governor.



## General Regulations.

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### Chief examiner, duties of.

*General Regulation.* 1. The chief examiner shall, so far as practicable, attend the examinations held by the several boards of examiners for positions in Schedules B and C.

He shall take care to secure accuracy, uniformity and justice in the proceedings of all examiners and boards of examiners under the rules and regulations, and such proceedings and all papers appertaining thereto shall at all times be open to him. He shall also, from time to time, inspect the proceedings and papers connected with examinations for the Civil Service of cities, held pursuant to the eighth section of the Civil Service Act, and shall make report of such inspections to the commission.

*General Regulation.* 2. He shall prepare and submit to the Commission proper schemes for examinations, and forms for blanks and records.

He shall take care that the rules and regulations are complied with, and shall bring any case of their infraction, or of injustice or irregularity observed by him to the attention of the Commission. It shall be his duty, from time to time, to confer with the heads of departments, offices and institutions in the State service, concerning the regularity, efficiency and convenience of the examinations for the service under them. He shall perform such other appropriate duties as may be specified in these regulations, or otherwise assigned to him by the Commission.

### Secretary, duties of.

*General Regulation.* 3. The secretary shall keep the minutes of the proceedings of the Commission, and have charge of and be responsible for the safekeeping of the books, records, papers, and other property in its office. He shall make the proper certification of those eligible for appointment or employment in positions in Schedules B and C. He shall generally conduct the correspondence of the Commission and perform such other duties as it may assign to him.

### Stenographer, duties of.

*General Regulation.* 4. The stenographer shall perform such appropriate duties as may be assigned to him by the Commission, or under its direction by the chief examiner and secretary.

Examiners, boards of, number of members, etc.

*General Regulation.* 5. Regular boards of examiners will consist of three members, one of whom shall act as secretary, and two of whom may conduct an examination in the necessary absence of the third. The secretary shall keep a complete record of the proceedings of the board and of all the examinations held by it in such form as the Commission may prescribe.

Chief examiner to prepare questions, etc.

*General Regulation.* 6. The chief examiner shall, subject to the Commission, issue authority for holding examinations for positions in Schedules B and C, and shall prepare questions and supervise other preliminary arrangements for such examinations.

Examiners to mark papers, etc.

*General Regulation.* 7. The boards of examiners will conduct the examinations and estimate and mark the standing of the persons competing, or in a non-competitive examination shall estimate the qualifications of the person examined, and in both cases shall transmit all the papers with their report to the Commission.

Commission will give advice, when.

*General Regulation.* 8. Whenever the special qualifications required for a position are of an expert or professional character, the Commission will give to the examining board such advice and assistance from competent sources as may be expedient and available.

Examiners, Schedule D positions, duties of.

*General Regulation.* 9. Boards of examiners for positions in Schedule D shall examine such persons as are named to them in writing by any officer authorized to employ persons in the positions in that schedule, and shall only certify such as satisfy the qualifications for such positions as prescribed by the rules and regulations. They shall report to the Commission the names of persons examined by them, with other pertinent information, on forms furnished for that purpose, keep on file the minutes of their proceedings, and shall transmit all the papers with their report to the Commission. The minutes shall at all times be subject to the inspection of the Commission and its agents.

Examiners, special boards of.

*General Regulation.* 10. Special boards will be selected and special regulations for examinations will be issued by the Commission in such cases as it may deem expedient.



**Examiners must not influence appointments.**

*General Regulation.* 11. No examiner or person serving under the Commission must attempt to influence the selection, nomination or appointment of any person for the Civil Service.

**Examiners must preserve order, etc.**

*General Regulation.* 12. Care must be taken by examiners to preserve order and decorum at examinations, and to prevent such visitors as they may admit, by conversation or otherwise, to obstruct or distract those being examined.

**Examiners must not disclose results of examinations.**

*General Regulation.* 13. Examiners must not disclose for public information, unless by consent of those examined, more than the general results of examinations, without the details of answers given.

**Candidates may inspect papers.**

*General Regulation.* 14. Any person after receiving official notification of his standing, as ascertained by a competitive examination, may in person, or by duly authorized agent, inspect in the presence of the chief examiner, or the secretary of the Commission, his examination papers and the markings thereon.

**Complaints of injustice will be considered.**

*General Regulation.* 15. Complaints which show any injustice or unfairness on the part of any examiner or examining board, or by any one acting under the Commission, will be considered by the Commission, which reserves the right to revise the marking and grading on the papers, or order a new examination, or otherwise act as substantial justice in the premises may require.

**Examination rooms, method of requisition for.**

*General Regulation.* 16. For the purpose of examinations, examiners are authorized by the last clause of the third section of the Civil Service Act to request the use of suitable rooms in public buildings and the lighting and the heating of the same. In all cases the requisition for such accommodations should be in writing, reciting the provision of law above referred to, and denoting the amount of room required, and should be addressed to the State, county, city, town or village officer having custody of the public building. School rooms are generally best adapted for examinations.

**Accounts for services, how rendered.**

*General Regulation.* 17. Accounts of examiners (who are not otherwise in the Civil Service) for services and for reimbursement for



necessary expenditures should be rendered in the forms prescribed and sent to the Commission for approval before payment.

**Application for examinations, how made.**

*General Regulation.* 18. Applications for admission to competitive examinations for positions in Schedule B, will be directed to the "N. Y. Civil Service Commission, Albany, N. Y." Blank forms for such applications, and for the requisite certificates, will be furnished upon request, which should specify the position in the service sought by the applicant. All applications for positions in Schedules A, C and D must be made to the head of the department, office or institution wherein the position is sought.

**Certain information not to be furnished by Commission.**

*General Regulation.* 19. The Commission can not advise persons as to vacancies in the service, nor furnish any information as to the duties, salaries, course of promotion, or other conditions of positions, except such as may be found in printed regulations. No advice can be given as to the course of preparation that applicants should follow, nor can specimens of the examination papers be furnished.

**Papers to remain on file.**

*General Regulation.* 20. All application papers and accompanying certificates will remain on file in the office of the Commission, and under no circumstances or conditions will the originals be returned to the applicant.

**Competitive examinations, conditions for admission to.**

*General Regulation.* 21. Applicants will be admitted to examination upon the production of the official notification to appear for that purpose. Each applicant will receive a number, which will be indorsed upon his notification when produced, and the notification so indorsed shall be sealed in an envelope; such applicant will sign his examination papers with his number, omitting his name, and the envelope shall not be opened until all the examination papers have been received and the marking and grading made.

**Examinations to be in writing.**

*General Regulation.* 22. All examinations shall be in writing, except such as refer to physical qualities or expertness, excepting that to the written examination the examiner or examiners may add such an oral examination as may be necessary in certain cases to elicit the respective qualification of the several applicants. When possible, a stenographic report of the examination must be made and filed with the papers.

Question sheets to be numbered, how given out, etc.

*General Regulation.* 23. The sheets of questions will be numbered, and will be given out in the order of their numbers, each, after the first being given, only when the competitor has returned to the examiners the last sheet given to him. In general, no examination shall extend beyond five hours without intermission, and no question given out at any session to any candidate can be allowed to be answered at another session. Each applicant must complete his examination on the obligatory subjects before taking up any of the optional subjects.

**Examiners to exercise diligence, etc.**

*General Regulation.* 24. Each examiner will exercise all due diligence to secure fairness, and prevent all collusion and fraud in the examinations.

**Examinations, time allowed for.**

*General Regulation.* 25. The time allowed for completing the examination will be announced before the first paper is given out. For the obligatory subjects the examinations should be confined to a single day, but the examiners may extend such time in special cases of emergency.

**Marking papers; each examiner to review papers, etc.**

*General Regulation.* 26. The examination papers shall be reviewed by each examiner separately, and, in any case of disagreement, the average of the markings made on any question or paper by all shall be the final marking on such question or paper, subject to the regulation as to revision.

**Each subject to be marked separately.**

*General Regulation.* 27. The papers of all the competitors in each subject should be examined, compared and marked before the papers in another subject are taken up.

**Marking papers, methods of.**

*General Regulation.* 28. The marking of each question or subject shall be made on the scale of 100, which maximum shall represent accuracy of the highest possible attainment; and 0 shall represent absolute ignorance. Handwriting will be judged by its legibility, uniform and correct formation of letters and ease of execution. Upon a comparison of the handwriting of all the competitors, the best and the worst should be first agreed upon, and the two extremes of the scale thus fixed, the others should be marked relatively to them. In writing from dictation or copying from manuscript, the omission, repetition or substitution of words, the erasures, blots and other evi-



dences of carelessness, will, proportionately to their number, reduce the marking below 100. Spelling will be marked with reference to the ratio the misspelled words bear to the whole number of words dictated. Making abstracts or summaries of documents and letter writing, will be marked as in handwriting, by agreeing upon the best and worst examples, and having marked them, then proportionately marking the others.

In each of the other subjects, each question shall be marked on the scale of 100, and the sum of such markings divided by the number of questions in that subject shall be the competitor's standing on such subject.

Grading, form of.

*General Regulation.* 29. The absolute or average general standing of each competitor will then be made up in form as follows, in accordance with the respective weight accorded to each subject by the regulations, thus:

EXAMINATION OF.....

SUBJECTS.	Weight given to subjects.	Standing on subjects.	Product of weight and standing.
1. Writing from dictation.....	3	96	288
2. Copying from manuscript.....	2	97	194
3. Handwriting.....	4	85	340
4. Spelling.....	3	88	264
5. Arithmetic.....	4	93	372
6. Geography and history.....	1	80	80
7. Constitutional questions.....	1	63	63
8. Making a summary.....	2	72	144
Total products.....			1,745
Divide by sum of weights.....	20		
General average standing.....			87 28
OPTIONAL SUBJECTS.			
Bookkeeping.....			80
Stenography.....			92

It will be observed that the standing on each subject is multiplied by the weight given that subject and the product placed in the third column, and the sum of these products, divided by the sum of the weights, gives the general average standing.

Names to be enrolled in order of excellence.

*General Regulation.* 30. The grading of the several competitors being completed, their names will be enrolled in the order of their ex-



cellence, as determined by such examination, upon a register of eligible persons in form as prescribed by the Commission.

Papers to be signed by examiners.

*General Regulation.* 31. Every paper in any examination, not formally certified by the examiners, will be signed with his initials in ink by each examiner who has reviewed and marked it.

Priority of date to give no advantage on eligible list.

*General Regulation.* 32. Priority of date in examination will give no advantage in position on the eligible list. The names of the three persons highest in general average standing on the list for any grade will be certified for selection without regard to dates of examination, and subject only to the preferences of competitors on record for certain departments or offices, or to the certificate of the appointing officer that an optional subject is of prime importance.

Boards of examiners, Schedule C positions, duties of.

*General Regulation.* 33. The boards of examiners before whom shall appear any person named for a position in Schedule C, subject to a non-competitive examination, will report to the Commission the facts regarding such person furnished to or ascertained by them, upon the first three points, as required by Rule 22. Upon the fourth point, as required in said rule, they will examine the person so appearing in the several subjects prescribed by regulations in accordance with Rule 23. Such examination will be in writing, and the standing on each subject will be marked in the manner herein directed for competitive examinations.

The grading of such person, together with the examination papers and the report on the other points of inquiry, shall be transmitted to the Commission as soon after the examination as practicable.

Board of examiners, Schedule D positions, duties of.

*General Regulation.* 34. The boards of examiners for positions in Schedule D shall take evidence of the qualification of persons properly appearing before them, as the same are defined in Rule 27, and regulations pursuant thereto. So far as may be practicable, such examinations shall be in writing. If the board is satisfied that any person so appearing is duly qualified to discharge the duties of the position for which named, a certificate of qualification will be granted by the board in such form as the Commission may prescribe. Officers having the authority to employ persons in the positions included in Schedule D may directly name persons to any such board for examination.

Promotion, examinations for, methods of.

*General Regulation. 35.* Examiners will carefully inspect work performed during the previous year by the persons named for promotion, as regards its accuracy and neatness, and should personally question them concerning their office work and its purposes, in order to ascertain if they have a general and intelligent knowledge of the business in the department where they are employed. No part of the examination need be by written answers to written questions, but the examiners may require the persons examined to give a written description of the work done by them and its relation to the duties of others.

Candidates to be notified, certain inquiries not to be answered.

*General Regulation. 36.* As soon as practicable after an examination, the papers of the candidates will be marked, and their standing ascertained and communicated to them by the secretary of the Commission by mail. Prior to that time no inquiries addressed either to the examiners or the Commission will be answered. No letters explanatory of errors presumed to have been made in an examination will receive any attention.

Certain questions not to be decided by Commission.

*General Regulation. 37.* The Commission can not undertake to answer inquiries relating to cases which are not officially before it for decision, nor can it decide, except in cases of actual candidates on its registers, questions respecting the application of the rules and regulations.

Certain inquiries not to be answered.

*General Regulation. 38.* Particular answers can not be given to inquiries which are answered expressly or by implication in published regulations and similar documents.

Excise inspectors, persons not eligible for.

*General Regulation. 39.* Applicants will not be eligible for examination for appointment as inspectors in the excise department who have been engaged in the saloon business or in the sale of liquor within two years.

Schedules C and D positions, information regarding, to be published.

*General Regulation. 40.* The schemes of qualifications and subjects of examination of the same for positions in Schedules C and D will be published from time to time for general information.

In regard to many such positions, the nature and extent of such examinations will not be determined until after a vacancy in the position occurs.

No information can, therefore, be given in regard to such positions other than is published as above mentioned.



# Civil Service Statutes, Rules, Regulations, Etc.

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## STATUTES.

Laws of 1883, Chap. 354. — An act to regulate and improve the Civil Service of the State of New York.

Commission created; commissioners, appointment of, etc.

SECTION 1. The Governor is authorized to appoint, by and with the advice and consent of the Senate, three persons, not more than two of whom shall be adherents of the same party, as Civil Service Commissioners, and said three Commissioners shall constitute the New York Civil Service Commission. They shall hold no other official place under the State of New York. The Governor may remove any Commissioner, and any vacancy in the position of Commissioner shall be so filled by the Governor, by and with the advice and consent of the Senate, as to conform to said conditions for the first selection of Commissioners. The three Commissioners shall each receive a salary of \$2,000 a year. And each of said Commissioners shall be paid his necessary traveling expenses incurred in the discharge of his duty as a Commissioner.

Duties of Commission; rules, what to provide for.

§ 2. It shall be the duty of said Commission:

*First.* To aid the Governor, as he may request, in preparing suitable rules for carrying this act into effect; and when said rules shall have been promulgated, it shall be the duty of all officers of the State of New York, in the departments and offices to which any such rules may relate, to aid, in all proper ways, in carrying said rules, and any modification thereof, into effect.

*Second.* And, among other things, said rules shall provide and declare, as nearly as the conditions of good administration will warrant, as follows:

1. For open competitive examinations for testing the fitness of applicants for the public service now classified or to be classified hereunder. Such examinations shall be practical in their character



and, so far as may be, shall relate to those matters which will fairly test the relative capacity and fitness of the persons examined to discharge the duties of that service into which they seek to be appointed.

2. All the offices, places and employments so arranged or to be arranged in classes shall be filled by selections from among those graded highest as the results of such competitive examinations.

3. There shall be a period of probation before any absolute appointment or employment aforesaid.

4. Promotion from the lower grades to the higher shall be on the basis of merit and competition.

5. No person in the public service is for that reason under any obligation to contribute to any political fund, or to render any political service, and no person shall be removed or otherwise prejudiced for refusing to do so.

6. No person in said service has any right to use his official authority or influence to coerce the political action of any person or body.

7. There shall be non-competitive examinations when competition may not be found practical.

8. Notice shall be given in writing by the appointing power to said Commission of the person selected for appointment or employment from among those who have been examined, of the place of residence of such persons, of the rejection of any such persons after probation, of transfers, resignations and removals, and of the date thereof, and a record of the same shall be kept by said Commission. And any necessary exceptions from said eight fundamental provisions of the rules shall be set forth in connection with such rules, and the reasons therefor shall be stated in the annual reports of the Commission.

*Third.* Said Commission shall, subject to the rules that may be made by the Governor, make regulations for, and have control of such examinations, and, through its members or the examiners, it shall supervise and preserve the records of the same; and said Commission shall keep minutes of its own proceedings.

*Fourth.* Said Commission may make investigations concerning the facts, and may report upon all matters touching the enforcement and effect of said rules and regulations, and concerning the action of any examiner or board of examiners hereinafter provided for, and its own subordinates, and those in the public service, in respect to the execution of this act; and, in the course of such investigations, each Commissioner and their secretary shall have power to administer oaths.

*Fifth.* Said Commission shall make an annual report to the Governor for transmission to the Legislature, showing its own action, the rules and regulations and the exceptions thereto in force, the practical effects thereof and any suggestions it may approve for the more effectual accomplishment of the purposes of this act.

Chief examiner, secretary, messenger, etc.; duties and salaries of; boards of examiners, etc.; public buildings, use of.

§ 3. Said Commission is authorized to employ a chief examiner, a part of whose duty it shall be, under its direction, to act with the examining boards so far as practicable, whether at Albany or elsewhere, and to secure accuracy, uniformity and justice in all their proceedings, which shall be at all times open to him. The chief examiner shall be entitled to receive a salary at the rate of \$3,600 a year, and he shall be paid his necessary traveling expenses incurred in the discharge of his duty. The Commission is authorized to employ a secretary, who may be one of its own number, who shall receive a compensation of \$1,000 per annum, and who shall also be paid his necessary traveling expenses incurred in the discharge of his duty; and also a person to act as stenographer and copyist, who shall be entitled to receive a compensation of \$1,000 a year, or in its discretion, may from time to time employ stenographers and copyists at an expense not to exceed in the aggregate the sum of \$1,000 a year. The Commission may appoint a messenger, to act also as clerk, at a salary not exceeding \$900 a year, and may dismiss him at pleasure. The Commission may, at Albany, and in any other part of the State where examinations are to take place, designate and select a suitable number of persons in the official service of the State of New York, after consulting the head of the department or office in which such person serves, or in its discretion, persons not in the official service, to be members of boards of examiners, and may at any time substitute any other person in or out of such service in place of any one so selected. Any person not at the time in the official service of the State, or of any political division thereof, serving as a member of the board of examiners, shall be entitled to compensation for every day actually and necessarily spent in the discharge of his duty as examiner at the rate of \$5 a day; but the aggregate compensation of any such examiner shall not exceed \$100 in any one year. It shall be the duty of the officers of the State of New York, or of any political division thereof, at any place outside of the city of Albany where examinations are directed



by said rules or by said board to be held, to allow the reasonable use of the public buildings, and to light and heat the same for holding such examinations, and in all proper ways to facilitate the same. (*Thus amended by Laws of 1884, chap. 357.*)

**Rooms for Commission; Commission to procure stationery, etc.**

§ 4. It shall be the duty of the trustees of public buildings, designated by chapter 349 of the Laws of 1883, to cause suitable and convenient rooms and accommodations to be assigned or provided, and to be furnished, heated and lighted, at the city of Albany, for carrying on the work of said Commission and said examinations, and said Commission may order the necessary stationery, postage stamps, an official seal and other articles to be supplied, and the necessary printing to be done for its official use. And the cost and expense thereof, and the several salaries, compensations and necessary expenses of the Commission, upon the same being stated in detail and verified by affidavit as the Comptroller may direct, shall be paid monthly from any money in the treasury not otherwise appropriated. (*Thus amended by Laws of 1884, chap. 357.*)

**Misdemeanor to obstruct right of examination, etc.; false representation.**

§ 5. Any Commissioner, examiner, copyist or messenger herein mentioned, or any other person who shall willfully and corruptly, by himself or in co-operation with one or more persons, defeat, deceive or obstruct any person in respect of his or her right of examination according to any rules or regulations prescribed pursuant to the provisions of this act, or who shall willfully, corruptly and falsely mark, grade, estimate or report upon the examination or proper standing of any person examined pursuant to the provisions of this act, or aid in so doing, or who shall willfully and corruptly make any false representations concerning the same, or concerning the person examined, or who shall willfully and corruptly furnish to any person any special or secret information for the purpose of either improving or injuring the prospects or chances of any person so examined, or to be examined, shall for each offence be deemed guilty of a misdemeanor. (*Thus amended by Laws of 1884, chap. 410.*)

**Clerks, etc., to be classified.**

§ 6. Within four months after the expiration of the present session of the Legislature, it shall be the duty of the Governor to cause to be arranged in classes the several clerks and persons employed or being in the public service, for the purposes of the examination herein provided for, and he shall include in one or more of such classes, so far



as practicable, all subordinate places, clerks and officers in the public service of the State.

Officers must report, etc.

§ 7. No officer or clerk shall be appointed, and no person shall be admitted to, or be promoted in either of the said classes now existing, or that may be arranged hereunder pursuant to said rules, until he has passed an examination, or is shown to be specially exempted from such examination, in conformity herewith. No elective officer, and no person merely employed as a laborer or workmen, shall be required to be classified hereunder; nor, unless by direction of the Senate, shall any person who has been nominated for confirmation by the Senate be required to be classified or to pass an examination. It shall be the duty of each State officer or board of State officers, clerk or other person, in the public service of the State, in either of said classes, forthwith on such appointment or employment, to report to the Civil Service Commission the name of such appointee or employe, the title or character of his office or employment, and the date of the commencement of service by virtue thereof; and forthwith, on the termination of such service to report to said Commission the fact and date of such termination. It shall be the duty of said Commission to keep in its office a complete record, open to public inspection at all reasonable hours, of all officers, clerks and other persons in the public service of the State, in either of said classes, appointed or employed therein in pursuance of law, and of the rules and regulations made in pursuance of law, showing in each case the title or character of the office or employment, and the date of the commencement of service by virtue thereof; and also a complete record, so far as practicable, in like manner, of all officers, clerks or other persons in the public service of the State, in either of said classes, appointed or employed therein in violation of law, or of the rules and regulations made in pursuance of law. It shall be the duty of the said Commission to certify to the Comptroller the name of every officer, clerk or other person in the public service of the State, in either of said classes, appointed or employed therein in pursuance of law and of the rules and regulations made in pursuance of law, stating in each case the title or character of the office or employment and the date of the commencement of service by virtue thereof; and, in like manner to certify to the Comptroller, the name of each officer, clerk or other person in the public service of the State in either of the said classes, appointed or employed therein in violation of law or of the rules or regulations made in pursuance of law; and to certify to the Comptroller, in like manner, every

change occurring in any such office or employment forthwith, on the occurrence of the change. It shall be unlawful for the Comptroller to draw his warrant for the payment of any salary or compensation to any officer, clerk or other person in the public service of the State, in either of said classes, who is not so certified as having been appointed or employed in pursuance of law and of the rules and regulations made in pursuance of law. Any officer, clerk or other person entitled to be certified by the said Commission to the Comptroller as having been appointed or employed in pursuance of law and of the rules and regulations made in pursuance of law, and refused such certificate may maintain a proceeding by mandamus to compel the Commission to issue such certificate. In each city of the State in which rules and regulations have been adopted under the provisions of this act, any officer of such city whose duty it is to sign or countersign warrants, shall not draw, sign or issue, or authorize the drawing, signing or issuing, of any warrant on the treasurer or other disbursing officer of such city for the payment of salary to any person in its service whose appointment has not been made in pursuance of this act, and the rules in force thereunder. Any sums paid contrary to the provisions of this section may be recovered from any officer signing or countersigning warrants for the payment of the same, and from the sureties on his official bond, in an action in the Supreme Court of the State, maintained by a citizen resident therein, who is assessed for and is liable to pay, or within one year before the commencement of the action, has paid a tax therein. All moneys recovered in any action brought under the provisions of this section must, when collected, be paid into the treasury of the city. (*Thus amended by Laws of 1894, chap. 681.*)

Mayors of cities to prescribe regulations, etc.; after three months persons not to be appointed, etc., until examined; officers, etc., excepted from provisions of act; examinations to be public; regulations, etc., to be published.

§ 8. The mayor of each city in this State is authorized and is hereby directed to prescribe such regulations for the admission of persons into the Civil Service of such city as may best promote the efficiency thereof and ascertain the fitness of candidates in respect to character, knowledge and ability for the branch of the service into which they seek to enter, and for this purpose he shall, from time to time, employ suitable persons to conduct such inquiries and make examinations, and shall prescribe their duties and establish regulations



for the conduct of persons who may receive appointment in the said service. And the regulations so to be prescribed shall, among other things, provide and declare as in the second subdivision of the second section of this act is provided and declared in reference to regulations for admission to the Civil Service of the State. Within two months after the passage of this act it shall be the duty of each of said mayors in and by such regulations to cause to be arranged in classes the several clerks and persons employed or being in the public service of the city of which he is mayor, and he shall include in one or more of such classes, so far as practicable for the purposes of the examination herein provided for, all subordinate clerks and officers in the public service of the said city to whom his power under this act extends. After the termination of three months from the passage of this act no officer or clerk shall be appointed, and no person shall be admitted to or be promoted in either of the said classes now existing or that may be arranged hereunder pursuant to said rules, until he has passed the examination, or is shown to be exempted from such examination, in conformity with such regulations. Such regulations hereinafter prescribed and established, and any subsequent modification thereof, shall take effect upon the approval of the New York Civil Service Commission. Officers elected by the people, and the subordinates of any such officer, for whose errors or violation of duty said officer is financially responsible, and the head or heads of any department of the city government, and persons employed in or who seek to enter the public service under the educational departments of any city, and any subordinate officer who, by virtue of his office, has personal custody of public moneys or public securities, for the safekeeping of which the head of an office is under official bonds, shall not be subject to the regulations prescribed pursuant to this section, nor shall any regulations contravene an existing statute relating to entrance to said service. It shall be the duty of all those in the official service of any such city to conform to and comply with any regulations made pursuant to this act, and to aid and facilitate in all reasonable and proper ways the enforcement of all regulations and the holding of all examinations which may be required under the authority conferred by this section. But the authority by this section conferred shall not be so exercised as to take from any policeman or fireman any right or benefit conferred by law, or existing under any lawful regulation of the department in which he serves. And all examinations herein authorized



shall be public, and all regulations shall be published, and, with all the proceedings and papers connected with said examinations, shall be at all times subject to the inspection of said Commission and its agents; and said Commission shall set forth in its reports the character and practical effects of such examinations, together with its views as to the improvement and extension of the same, and also copies of all regulations made under the authority hereby conferred. (*Thus amended by Laws of 1884, chap. 410.*)

**Recommendations from certain officers not to be received.**

§ 9. No recommendation of any person who shall apply for office or place under the provisions of this act which may be given by any Senator or Member of Assembly, or officer confirmed by the Senate, or judge of any court, except as to the character or residence of the applicant, shall be received or considered by any person concerned in making any examination or appointment under this act.

(§ 10. Repealed by Laws of 1884, chap. 357.)

**Political assessments prohibited.**

§ 11. No officer, agent, clerk or employe under the government of the State of New York or any political division thereof shall, directly or indirectly, use his authority or official influence to compel or induce any other officer, clerk, agent or employe under said government, or any political division thereof, to pay or promise to pay any political assessment. Every said officer, agent or clerk, who may have charge or control in any building, office or room occupied for any purpose of said government, or any said division thereof, is hereby authorized to prohibit the entry of any person, and he shall not consent that any person enter the same for the purpose of therein making, collecting, receiving or giving notice of any political assessment; and no person shall enter or remain in any said office, building or room, or send or direct any letter or other writing thereto, for the purpose of giving notice of, demanding or collecting, nor shall any person therein give notice of, demand, collect or receive any such assessment; and no person shall prepare or make out, or take any part in preparing or making out, any political assessment, subscription or contribution with the intent that the same shall be sent or presented to or collected of any officer, agent or employe, subject to the provisions of this act, under the government of the State of New York, or that of any political division thereof, and no person shall knowingly send or present any political assessment, subscription or contribution to or request its payment of any said officer, agent or employe. (*Thus amended by Laws of 1884, chap. 357.*)

**Penalty.**

§ 12. Any person who shall be guilty of violating any provision of the last section shall be deemed guilty of a misdemeanor, and shall on conviction thereof be punished by a fine not less than fifty dollars and not exceeding one thousand dollars, or by imprisonment for a term not exceeding six months, or by both such fine and imprisonment, in the discretion of the court. (*Thus amended by Laws of 1884, chap. 357.*)

**Recommendations, etc., not to relate to political opinions, etc.**

§ 13. No recommendation or question under the authority of this act shall relate to the political opinions or affiliations of any person whatever.

**Officers or candidates not to promise influence, etc.; penalty; "public officer" and "public employe" defined.**

§ 14. Whoever, while holding any public office, or in nomination for, or while seeking a nomination or appointment for any public office, shall corruptly use or promise to use, whether directly or indirectly, any official authority or influence (whether then possessed or merely anticipated) in the way of conferring upon any person, or in order to secure or aid any person in securing any office or public employment, or any nomination, confirmation, promotion or increase of salary, upon the consideration or condition that the vote or political influence or action of the last named person, or any other, shall be given or used in behalf of any candidate, officer or party, or upon any other corrupt condition or consideration, shall be deemed guilty of bribery or an attempt at bribery. And whoever, being a public officer, or having or claiming to have any authority or influence for or effecting the nomination, public employment, confirmation, promotion, removal or increase or decrease of salary of any public officer, shall corruptly use, or promise, or threaten to use any such authority or influence, directly or indirectly, in order to coerce or persuade the vote or political action of any citizen, or the removal, discharge or promotion of any officer or public employe, or upon any other corrupt consideration, shall also be guilty of bribery or of an attempt at bribery. And every person found guilty of such bribery or an attempt to commit the same, as aforesaid, shall, upon conviction thereof, be liable to be punished by a fine of not less than \$100 nor more than \$3,000, or to be imprisoned not less than ten days nor more than two years, or to both said fine and said imprisonment in the discretion of the court. The phrase "public officer" shall be held to include all public officials in this State, whether paid directly or indirectly from the public treasury of



the State, or from that of any political division thereof, or by fees or otherwise, and the phrase "public employe" shall be held to include every person not being an officer who is paid from any said treasury Quorum; Commission shall inquire into methods of appointment, etc.

§ 15. A majority of the members of said board shall constitute a quorum, but a less number may adjourn from day to day. Said Commission, when organized, shall immediately inquire into the methods of appointment, removal, terms of service, duties, compensation and numbers of all clerks, employes or subordinate officers of any nature whatsoever, either to this State or of cities or counties therein having a population exceeding 50,000 inhabitants, who are not by existing laws appointed by the Governor of the State or by the mayor of any city, or elected by the people; and whether the action of political parties or the public acts of official servants are in any wise affected, and if so, to what degree, by the present methods of such appointments, tenure of office, removals and compensations, and whether the public interest would or would not be advanced by prescribing competitive tests of standards of appointment for any or all of such subordinate public servants, in addition to those who are hereinbefore included, and if so, the nature and extent of such tests of standards and whether any abuses exist in connection with the existing practices touching said appointment, tenures, compensations or removals that require reform, or that may be abated by legislation or otherwise. Said Commission may also further extend its inquiries so far as to enable it to report whether any, and if so, what legislation is expedient, relative to the methods of compensation of all county officers and their subordinates in this State.

Witnesses, attendance of; fees.

§ 16. Said Commission shall have like power to secure by its subpœna, the attendance, and testimony of witnesses, and the production of books and papers, pertinent to the investigations and inquiries hereby authorized, to that prescribed in and by chapter 353 of the Laws of 1882, for the Commission thereby constituted in the execution of its duties as in said act last mentioned; and witnesses and officers to subpœna and secure the attendance of witnesses before said Commission shall be entitled to the same fees as are allowed witnesses in civil cases in courts of record. Such fees need not be pre-paid, but the Comptroller shall draw his warrant for the payment of the amount thereof, when the same shall have been certified to by the president of the Commission, and duly proved by affidavit or otherwise to the sat-



isfaction of the said Comptroller; and all State, county, town, municipal and other officers and their deputies, clerks, subordinates and employes shall afford the said board all reasonable facilities in conducting the inquiries specified in this act, and give inspection to said board of all books, papers and documents belonging, or in any way appertaining to the respective offices, and shall also produce said books and papers, and shall attend and testify when required to do so by said Commission. (*Thus amended by Laws of 1884, chap. 357.*)

Official oath; compensation and expenses; appropriation.

§ 17. Said Commissioners hereinbefore named, or in case of vacancy from among their number by declination, resignation or otherwise, a successor Commissioner, to be appointed by the Governor, shall qualify by filing with the Secretary of State an oath to perform faithfully the duties of such Commissioner. Each Commissioner shall receive the compensation hereinbefore provided, together with his actual traveling expenses in the discharge of his duties as such Commissioner, the said salaries and expenses, together with the other necessary expenses of said board, to be approved by the Comptroller and thereafter paid out of the treasury of the State, and the sum of fifteen thousand dollars, or so much thereof as may be necessary, is hereby appropriated out of any moneys in the State treasury not otherwise appropriated for the purposes stated in this act.

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Laws of 1884, Chap. 357.—An Act to amend chapter three hundred and fifty-four of the Laws of eighteen hundred and eighty-three, entitled “An act to regulate and improve the Civil Service of the State of New York.”

Sections 1 to 5 amend Laws of 1883, chap. 354, sections 3, 4, 11, 12 and 16, a hereinbefore shown.

Temporary appropriation.

§ 6. The sum of one thousand dollars is hereby appropriated out of any unexpended balance in the treasury, to meet any expense incurred by section 5 of this act, which expense the Treasurer shall pay on the warrant of the Comptroller.

Section 7 repeals section 10 of the Laws of 1883, chap. 354.

Inspectors of elections exempted from examination.

§ 8. The election officers now in office and the inspectors of election and poll clerks shall be exempt from examination in accordance with

the act hereby amended, or the amendments thereof, and it shall be the duty of the commissioners and mayors of cities so to provide in regulations made under said act.

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**Laws of 1884, Chap. 410.**—An act to amend chapter three hundred and fifty-four of the Laws of eighteen hundred and eighty-three, entitled “An act to regulate and improve the Civil Service of the State of New York.”

Sections 1 and 2 amend Laws of 1883, chap. 354, section 8 as herein before shown.

**Existing regulations in cities continued in force.**

§ 3. Where, before the passage of this act, the mayor of any city herein mentioned has prescribed regulations pursuant to the power given him by the act hereby amended, such regulations shall be deemed to be established and prescribed and to be operative as if established, prescribed and approved under the provisions of the said act as hereby amended; and the examiners who before the passage of this act have, by the mayor of any such city, been appointed or designated under the provisions of the said act, shall be deemed to be appointed and to have all the powers and duties which they would have if appointed under the provisions of the said act as hereby amended.

**Preferences allowed honorably discharged soldiers and sailors, etc.**

§ 4. In grateful recognition of the services, sacrifices and sufferings of persons who served in the army or navy of the United States, in the late war, and have been honorably discharged therefrom, they shall be certified as such by the commissioners, board or officers authorized to report names for appointment or promotion to the appointing officer, or other appointing power, and shall be preferred for appointment to positions in the civil service of the State and of the cities affected by this act and the several acts hereby amended, over all other persons, though graded lower than others so examined and reported, provided their qualifications and fitness shall have been ascertained as provided under this act, and the several acts hereby amended, and the person thus preferred shall not be disqualified from holding any position in said Civil Service on account of his age, nor by reason of any physical disability, provided such age or disability does not render him incompetent to perform the duties of the position applied for. But the Civil Service rules and laws of this State shall not apply to such persons residents of this State, who served in the army or navy of the United



States in the late war, and have been honorably discharged therefrom, for any position or employment, the compensation of which does not exceed four dollars a day, in the public departments and upon all public works of the State of New York, and of the several cities, counties, towns and villages thereof. (*Thus amended by Laws of 1894, chap. 717.*)

Honorably discharged soldiers and sailors after examinations to be specially certified, etc.

§ 5. Whenever it shall appear after a competitive examination for appointment to a position in the Civil Service of the State, or of the cities affected by this act, and the several acts hereby amended, that more than one such honorably discharged soldier or sailor is qualified to fill the same, the commissioners, board or officer authorized to report names for appointment shall certify to the appointing officer, or the appointing power, all of such honorably discharged soldiers or sailors whose qualifications and fitness have been ascertained as aforesaid, specifying their respective grades in such examination, provided, however, that when more than three of such honorably discharged soldiers or sailors shall be so found duly qualified for appointment to such positions, there shall be certified for such appointment not more than two names in excess of the number of places to be filled, and in all such cases the appointment shall be made from among those not exceeding three in number, being so certified, who are graded highest, as the result of such examination. (*Added by Laws of 1886, chap. 29.*)

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Laws of 1887, Chap. 464.—An act to amend chapter three hundred and twelve of the Laws of eighteen hundred and eighty-four, entitled “An act respecting the employment of honorably discharged Union soldiers and sailors in the public service of the State of New York.”

SECTION 1. Chapter three hundred and twelve of the Laws of eighteen hundred and eighty-four, entitled “An act respecting the employment of honorably discharged Union soldiers and sailors in the public service of the State of New York,” is hereby amended to read as follows:

Honorably discharged soldiers and sailors shall be preferred for appointment, etc.

§ 1. In every public department and upon all public works of the State of New York, and of the cities, towns and villages thereof, and also in



non-competitive examinations under the Civil Service rules, laws or regulations of the same, wherever they apply, honorably discharged Union soldiers and sailors shall be preferred for appointment and employment; age, loss of limb or other physical impairment which does not, in fact, incapacitate, shall not be deemed to disqualify them, provided they possess the business capacity necessary to discharge the duties of the position involved. And, in all cases, the person having the power of employment or appointment, unless the statute provides for a definite term, shall have the power of removal only for incompetency and conduct inconsistent with the position held by the employes or appointee; and, in case of such removal, or such refusal to allow the preference provided for in this act of and for any such honorably discharged Union soldier or sailor, or marine, for partisan, political, personal or other cause, except incompetency, and conduct inconsistent with the position so held, such soldier, sailor or marine, so wrongfully removed or refused such preference, shall have a right of action in any court of competent jurisdiction for damages as for an act wrongfully done, in addition to the existing right of mandamus; the burden of proving such incompetency and inconsistent conduct, as a question of fact, shall be upon the defendant. But the provisions of this act shall not be construed to apply to the position of private secretary or deputy of any official or department, or to any other person holding a strictly confidential position. (*Thus amended by Laws of 1894, chap. 716.*)

Failure to comply a misdemeanor.

§ 2. All officials or other persons having power of appointment to or employment in the public service as set forth in the first section of this act, are charged with a faithful compliance with its terms, both in letter and spirit, and a failure therein shall be a misdemeanor.

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Laws of 1887, Chap. 708.— An act providing for the employes of the various departments of the city of Brooklyn and county of Kings.

Honorably discharged soldiers and sailors shall not be removed, etc.

SECTION 1. All persons holding position in the city of Brooklyn, or county of Kings, receiving salary from said city and county treasury, who shall be an honorably discharged soldier or sailor of the late war of the rebellion, shall not be removed from such position, except for

good cause, shown after a hearing had, but such person or persons shall hold such position for and during good behavior.

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**Laws of 1888, Chap. 119.—An act relating to employes of the various cities and counties of the State.**

**Honorably discharged soldiers and sailors filling certain positions not to be removed except after a hearing, etc.**

SECTION 1. No person holding a position by appointment in any city or county of this State, or who may hereafter be appointed, receiving a salary from such city or county (unless he has been appointed for a definite term), who is an honorably discharged soldier, sailor or mariner, having served as such in the Union army or navy during the war of the rebellion, or the Mexican war, and who shall not have served in the Confederate army or navy, or who shall have served the time required by law in the volunteer fire department of any city, town or village in the State, or who shall have been a member thereof at the time of the disbandment of said volunteer department, shall be removed from such position except for cause shown after a hearing had; but this provision shall not be construed to apply to the position of private secretary or chief clerk or deputy of any official or department, or to any other person holding a confidential relation to the appointing officer. (*Thus amended by Laws of 1890, chap. 67; Laws of 1892, chap. 577.*)

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**CONSTITUTION.**

ARTICLE I, SECTION 16. \* \* \* Such acts of the Legislature of this State as are now in force, shall be and continue the law of this State, subject to such alterations as the Legislature shall make concerning the same. But all such parts of the common law, and such of the said acts, or parts thereof, as are repugnant to this Constitution, are hereby abrogated

ARTICLE V, SECTION 9. \* \* \* Appointments and promotions in the Civil Service of the State, and of all the civil divisions thereof, including cities and villages, shall be made according to merit and fitness to be ascertained, so far as practicable, by examinations, which, so far as practicable, shall be competitive; provided, however, that honorably discharged soldiers and sailors from the army and navy of the United States in the late civil war, who are citizens and residents of this State, shall be entitled to preference in appointment and promotion, without regard to their standing on any list from which such appointment or promotion may be made. Laws shall be made to provide for the enforcement of this section.





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A P P E N D I X J.

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Roster of State Employes.

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## APPENDIX J.

### ROSTER OF STATE EMPLOYES.

#### PERSONS HOLDING POSITIONS NOT SUBJECT TO CIVIL SERVICE RULES.

Title of position.	NAME.	Salary.	Date of election or appointment.
Governor.....	Levi P. Morton .....	\$10,000	Jan. 1, 1895
Lieutenant-Governor .....	Charles T. Saxton.....	5,000	do 1, 1895
Secretary of State .....	John Palmer.....	5,000	do 1, 1894
Comptroller.....	James A. Roberts.....	6,000	do 1, 1894
Treasurer .....	Addison B. Colvin.....	5,000	do 1, 1894
Attorney-General .....	Theodore E. Hancock.....	5,000	do 1, 1894
Engineer and Surveyor.....	Campbell W. Adams.....	5,000	do 1, 1894
Superintendent of Public Works .....	George W. Aldridge .....	6,000	do 2, 1895
Superintendent of Insurance .....	James F. Pierce.....	7,000	Feb. 11, 1891
Superintendent of Banks .....	Charles M. Preston.....	5,000	Dec. 23, 1889
Superintendent of Public Instruction.	Charles R. Skinner.....	5,000	Feb. 13, 1895
Superintendent of State Prisons ...	Austin Lathrop.....	6,000	May 11, 1887
Judge of Court of Appeals.....	Charles Andrews .....	12,500	Jan. 1, 1893
do do .....	Albert Haight.....	12,000	do 1, 1895
do do .....	Edward T. Bartlett .....	12,000	do 1, 1894
do do .....	Celora E. Martin.....	12,000	do 1, 1896
do do .....	Irving G. Vann.....	12,000	do 1, 1896
do do .....	John Clinton Gray.....	12,000	do 1, 1889
do do .....	Denis O'Brien.....	12,000	do 1, 1890
Railroad Commissioner .....	Samuel A. Beardsley .....	8,000	do 29, 1892
do do .....	Michael Rickard.....	8,000	Nov. 14, 1887
do do .....	Alfred C. Chapin.....	8,000	Mar. 15, 1892
Commissioner Board of Charities ...	William R. Stewart .....	None.	do 17, 1892
do do .....	John H. Van Antwerp.....	do	Feb. 17, 1887
do do .....	Mrs. Beekman DePeyster..	do	Apr. 2, 1891
do do .....	Stephen Smith, M. D.....	do	Mar. 30, 1893
do do .....	Edward W. Foster .....	do	Apr. 4, 1894
do do .....	Robert McCarthy .....	do	Mar. 17, 1892
do do .....	Peter Walrath .....	do	do 17, 1892
do do .....	William P. Letchworth ....	do	Jan. 16, 1893
do do .....	E. V. Stoddard.....	do	do 11, 1894
do do .....	Edward H. Litchfield.....	do	do 16, 1893
Commissioner in Lunacy.....	Carlos F. MacDonald, M. D.	\$5,000	May 22, 1889
do do .....	Goodwin Brown.....	3,000	do 16, 1889
do do .....	Henry A. Reeves.....	\$10 a day	do 25, 1889
Commissioner of Claims.....	George M. Beebe.....	5,000	Apr. 27, 1883
do do .....	Hugh Reilly.....	5,000	June 4 1891
do do .....	Wilbur F. Porter.....	5,000	Jan. 5, 1892
Commissioner Board of Health .....	F. O'Donohue, M. D.....	None.	July 19, 1893
do do .....	Case Jones, M. D .....	do	Jan. 15, 1895
do do .....	Cyrus Edson, M. D.....	do	Apr. 14, 1893
do do .....	Daniel Lewis, M. D.....	do	Jan. 15, 1895
do do .....	Owen Cassidy.....	do	do 15, 1895
do do .....	Murray Adams, M. D .....	do	Dec. 28, 1893
Commissioner Statistics of Labor....	Thomas J. Dowling.....	\$3,000	Jan. 27, 1893
Fisheries, Game and Forest Commis-	Barnet H. Davis .....	5,000	Apr. 25, 1895
sioner .....	Henry H. Lyman .....	1,000	do 25, 1895
Fisheries, Game and Forest Commis-	Charles H. Babcock .....	1,000	do 25, 1895
sioner .....	Edward Thompson .....	1,000	do 25, 1895
Fisheries, Game and Forest Commis-	William R. Weed.....	1,000	do 25, 1895
sioner .....	Willard A. Cobb.....	2,000	Jan. 24, 1895
Fisheries, Game and Forest Commis-	Willard D. McKinstry.....	2,000	do 10, 1893
sioner .....	Silas W. Burt .....	2,000	Mar. 6, 1895
Civil Service Commissioner.....			
do do .....			
do do .....			



**PERSONS HOLDING POSITIONS NOT SUBJECT TO CIVIL SERVICE  
RULES — (Continued).**

Title of position.	NAME.	Salary.	Date of election or appointment.
Commissioner of Agriculture.....	Fred C. Schraub .....	\$4,000	Apr. 19, 1893
Commissioner of Mediation and Arbitration .....	William Purcell .....	3,000	June 1, 1893
Commissioner of Mediation and Arbitration .....	Gilbert Robertson, Jr.....	3,000	do 1, 1893
Commissioner of Mediation and Arbitration .....	Edward Feeney.....	3,000	May 20, 1893
Chancellor University State of New York .....	Anson J. Upson.....	None.	Feb. 11, 1874
Vice-Chancellor University State of New York.....	William C. Doane.....	do	do 10, 1892
Regent University State of New York	Martin I. Townsend.....	do	Apr. 24, 1873
do do do	William L. Bostwick.....	do	Mar. 9, 1876
do do do	Chauncey M. Depew.....	do	Jan. 31, 1877
do do do	Charles E. Fitch .....	do	do 31, 1877
do do do	Orris H. Warren .....	do	Apr. 11, 1877
do do do	Whitelaw Reid.....	do	Jan. 17, 1878
do do do	William H. Watson .....	do	Feb. 2, 1881
do do do	Henry E. Turner .....	do	do 2, 1881
do do do	St. Clair McKelway.....	do	Jan. 10, 1883
do do do	Hamilton Harris.....	do	Mar. 18, 1885
do do do	Daniel Beach.....	do	do 18, 1885
do do do	Carroll E. Smith .....	do	Jan. 24, 1888
do do do	Pliny T. Sexton.....	do	Apr. 15, 1890
do do do	T. Guilford Smith.....	do	do 15, 1890
do do do	Lewis A. Stimson .....	do	do 19, 1893
do do do	Sylvester Malone .....	do	Mar. 29, 1894
do do do	Albert Van DerVeer .....	do	Feb. 13, 1895
Factory Inspector .....	James Connolly.....	\$3,000	May 18, 1886
Superintendent of Public Buildings..	Frederick P. Easton .....	5,000	Feb. 1, 1895
Commissioner of New Capitol .....	Isaac G. Perry .....	7,500	Apr. 5, 1883
Adjutant General.....	Edwin A. McAlpin.....	5,000	Jan. 1, 1895
Inspector General .....	Frederick C. McLewee ....	2,500	do 1, 1895
Chief of Ordnance.....	Joshua M. Varian .....	2,500	do 1, 1886
Inspector of Rifle Practice .....	Benj. M. Whitlock .....	2,000	do 1, 1892
Health Officer, Port of New York ....	Alvah H. Doty, M. D.....	12,500	do 2, 1895
Commissioner Statutory Revision....	A. Judd Northrup.....	3,000	Feb. 13, 1895
do do do	Charles Z. Lincoln .....	3,000	Jan. 2, 1895
do do do	William H. Johnson .....	3,000	do 24, 1895
Miscellaneous Reporter.....	Francis B. Delehanty .....	4,500	May 17, 1892
State Assessor .....	Rollin L. Jenkins .....	2,500	Dec. 28, 1895
do .....	Edward L. Adams .....	2,500	do 28, 1895
do .....	Martin Heermance .....	2,500	do 28, 1895
Inspector of Gas Meters .....	James L. Stewart .....	5,000	do 24, 1895
Superintendent Onondaga Salt Spr'gs	Peter J. Brunelkamp.....	1,500	Jan. 19, 1893
Superintendent of Weights and Measures .....	Lewis Boss.....	500	Feb. 29, 1884
Commissioner State Reservation at Niagara .....	Andrew H. Green.....	None.	Mar. 22, 1893
Commissioner State Reservation at Niagara .....	Robert L. Fryer.....	do	do 22, 1893
Commissioner State Reservation at Niagara .....	William Hamilton.....	do	do 22, 1893
Commissioner State Reservation at Niagara .....	John M. Bowers.....	do	do 22, 1893
Commissioner State Reservation at Niagara .....	George Raines .....	do	do 22, 1894
State Geologist and Paleontologist...	James Hail .....	\$3,600	May 1, 1893
State Botanist.....	Charles H. Peck.....	2,000	do 1, 1893
State Entomologist .....	Joseph H. Lintner .....	2,000	do 1, 1893
Quarantine Commissioner.....	Jacob M. Patterson .....	2,500	Apr. 10, 1895
do do do	Frederick H. Schroeder....	2,500	May 23, 1895
do do do	Edmund J. Palmer .....	2,500	do 23, 1895
Port Warden.....	Hiram Calkins.....	Fees.	do 13, 1885
do .....	Du Bois Collier.....	do	Apr. 15, 1893
do .....	John F. Walsh.....	do	Oct. 15, 1893
do .....	T. J. Callaghan .....	do	May 1, 1895
do .....	Wilbur W. Capron .....	do	Feb. 23, 1895
do .....	William O'Connor .....	do	May 3, 1895
do .....	Robert M. Johnston .....	do	Feb. 25, 1895
do .....	James E. Jones.....	do	Apr. 3, 1890
do .....	John H. Gunner .....	do	Feb. 25, 1895
do .....	Horace E. Buell.....	do	Mar. 25, 1895

## PERSONS HOLDING POSITIONS IN SCHEDULE A.

## Department of Secretary of State.

Title of position.	NAME.	Salary.	Date of appointment.
Deputy .....	Andrew Davidson .....	\$4,000	Jan. 1, 1894

## Department of Comptroller.

Deputy .....	William J. Morgan .....	4,000	Jan. 1, 1894
Confidential clerk .....	George C. Lewis .....	1,800	do 1, 1894
Confidential Clerk in the Bureau of Charitable Institutions .....	James S. McMaster .....	2,000	June 11, 1894

## Department of Treasurer.

Deputy .....	J. L. Hees .....	4,000	Jan. 1, 1894
Cashier .....	William H. Monty .....	1,800	Feb. 1, 1894

## Department of Attorney-General.

Deputy .....	Gilbert D. Hasbrouck .....	4,000	Jan. 1, 1894
do .....	John E. Davies .....	4,000	do 1, 1894
do .....	Wm. E. Kiselburgh .....	2,000	May 5, 1894
do .....	Frank M. Parsons .....	1,800	Mar. 5, 1884
Assistant in New York city .....	Clarence W. Francis .....	1,500	Jan. 1, 1894
Confidential Clerk .....	Harry L. Jacobson .....	900	Mar 5, 1894

## Department of Engineer and Surveyor.

Deputy .....	Herschell Roberts .....	4,000	July 1, 1894
Division Engineer .....	DeWitt C. Smith .....	2,400	do 17, 1894
do .....	W. H. H. Gere .....	2,400	Jan. 15, 1894
do .....	J. Livingston Little .....	2,400	Apr 23, 1895
Resident Engineer .....	George A. Morris .....	2,000	Mar. 1, 1894
do .....	Albert J. Himes .....	2,000	July 17, 1894
do .....	A. T. Jones .....	2,000	Nov 21, 1892

## Insurance Department.

Deputy .....	Matthew H. Robertson .....	4,000	June 9, 1892
Cashier .....	Frank M. Smyth .....	2,500	Sept. 1, 1891
Chief Actuary .....	John S. Paterson .....	3,000	Dec. 24, 1867
Private Secretary .....	William H. Buckley .....	2,500	Feb. 19, 1891

## Banking Department.

Deputy .....	Rodney R. Crowley .....	4,000	Oct. 7, 1893
Private Secretary .....	Helen C. Norton .....	1,200	do 13, 1890

## Department of Public Instruction.

Deputy .....	Danforth E. Ainsworth .....	4,500	June 1, 1895
Chief Clerk and Second Deputy .....	Howard J. Rogers .....	3,000	do 1, 1895
Institute Lecturer .....	.....	.....	.....
Conductor of Institutes .....	.....	.....	.....
Financial Clerk .....	Tiras H. Ferris .....	2,000	June 1, 1895
Assistant Superintendent .....	Arthur M. Wright .....	2,500	Sept. 15, 1895
do do .....	R. Edson Hall .....	2,000	Oct. 1, 1895
do do .....	William J. Barr .....	2,000	Dec. 20, 1895
Confidential Clerk and Stenographer .....	Harriet M. Aspinwall .....	2,000	Apr. 8, 1895

## Office Clerk of the Court of Appeals.

Clerk .....	Gorham Parks .....	5,000	Jan. 25, 1890
Deputy .....	Wm. H. Shankland .....	3,000	Apr. 1, 1882
Financial Clerk .....	John H. Reynolds .....	2,000	Nov. 22, 1895
Reporter .....	Edmund H. Smith .....	5,000	Oct. 7, 1895



THIRTEENTH REPORT OF THE  
SCHEDULE A — (Continued).

Department Railroad Commission.

Title of position.	NAME.	Salary.	Date of appointment.
Secretary .....	Charles R. DeFreest .....	\$6,000	Jan. 1, 1894

Department Board of Charities.

Secretary.....	Edmund Lyon .....	3,500	.....
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State Commission of Prisons.

Secretary.....	Augustus Sherman .....	3,000	Oct. 2, 1895
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Department Regents of the University.

Secretary .....	Melvil Dewey .....	5,000	Dec. 12, 1888
Director of Examinations .....	James Russell Parsons, Jr.	3,000	Mar. 14, 1882

Department State Commission in Lunacy.

Secretary.....	T. E. McGarr.....	4,000	June 5, 1889
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Binghamton State Hospital.

Treasurer.....	John Rankin.....	1,500	Apr. 11, 1894
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Long Island State Hospital, Brooklyn.

Chaplain .....	Rev. John A. Woods.....	300	Oct. 1, 1895
do .....	Rev. William D. Tuckey...	300	do 1, 1895
do .....	Rev. Edwin Dennett .....	300	Nov. 14, 1895
do .....	Rev. J. J. Cronin.....	300	Dec. 31, 1895

Buffalo State Hospital.

Treasurer .....	Elias S. Hawley.....	1,500	Dec. 1, 1883
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Middletown State Hospital.

Treasurer .....	C. Macardell.....	1,500	Jan. 1, 1894
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St. Lawrence State Hospital.

Treasurer .....	James M. Wells.....	1,200	Oct. 16, 1892
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Hudson River State Hospital.

Treasurer .....	Allison Butts.....	1,500	July 1, 1890
Chaplain .....	Rev. George C. Cox .....	400	Sept. 1, 1892

Rochester State Hospital.

Treasurer .....	F. P. Allen .....	1,500	July 1, 1891
Chaplain .....	J. R. Lynch .....	150	do 1, 1891
do .....	J. P. Stewart.....	150	do 1, 1891

Utica State Hospital.

Treasurer .....	H. S. Patten.....	1,500	Feb. 1, 1893
Chaplain .....	W. T. Gibson.....	800	Sept. 1, 1865
do .....	M. J. Quinn .....	240	Oct. 1, 1893



SCHEDULE A — (Continued).  
Willard State Hospital.

Title of position.	NAME.	Salary.	Date of appointment.
Treasurer .....	James B. Thomas.....	\$1,500	Apr. 19, 1869

Rome State Custodial Asylum.

Treasurer .....	John E. Bielby.....	1,200	June 5, 1894
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Syracuse Institution for Feeble-Minded Children.

Treasurer .....	Alfred Wilkinson .....	750	Jan. 1, 1885
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Department of Board of Claims.

Clerk .....	Andrew Hamilton.....	4,000	Apr. 1, 1892
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Department of Board of Health.

Secretary.....	Baxter T. Smelzer, M. D...	4,500	June 1, 1895
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Bureau of Statistics of Labor.

Chief Clerk.....	Cornelius Haley .....	2,000	May 29, 1893
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Fisheries, Game and Forest Commission.

Secretary .....	Franklin B. Mitchell.....	2,000	July 9, 1895
Auditing and Pay Clerk.....	A. J. Mulligan.....	1,500	June 7, 1895
General Superintendent of Hatching Stations .....	James Annin, Jr.....	2,500	Apr. 25, 1895
Clerk to Chief Protector.....	William Wolf ..	1,200	Jan. 1, 1896

Department of New York Civil Service Commission.

Secretary.....	Clarence B. Angle .....	2,000	Mar. 1, 1884
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Department of Commissioner of Agriculture.

Assistant Commissioner.....	B. F. Van Valkenburgh....	2,500	July 1, 1884
do do .....	George L. Flanders.....	2,000	May 13, 1884
do do .....	F. D. Tuthill .....	1,800	Nov. 1, 1887
do do .....	James H. Brown.....	1,500	do 1, 1888
do do .....	John H. Foley.....	1,800	May 1, 1890
do do .....	Peter H. Parker .....	1,200	July 1, 1890
do do .....	J. W. McMahon.....	2,000	May 1, 1891
do do .....	George J. Zillig.....	2,000	June 30, 1891
do do .....	Charles D. Moore.....	1,800	July 1, 1892
do do .....	James P. Clark .....	1,200	Feb. 15, 1895
do do .....	James M. Robinson.....	1,200	Apr. 4, 1894

Department of Mediation and Arbitration.

Secretary.....	Charles J. Madden.....	2,000	June 3, 1887
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Department of Adjutant-General.

Assistant Adjutant-General.....	Frederick Phisterer .....	2,500	Nov. 22, 1892
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Department of Inspector-General.

Assistant Inspector-General .....	William J. Harding.....		Jan. 25, 1892
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SCHEDULE A — (Continued).  
Department Chief of Ordnance.

Title of position.	NAME.	Salary.	Date of appointment.
Assistant Chief of Ordnance .....	Joseph G. Story .....	\$2,300	Dec. 4, 1888

State Weather Bureau.

Meteorologist .....	E. T. Turner .....	1,200	Apr. 20, 1892
Secretary and Expert . . . . .	W. O. Kerr .....	1,200	June 20, 1889

Agricultural Experiment Station.

Director .....	Peter Collier .....	3,500	Dec. 1, 1887
Assistant Director .....	William P. Wheeler .....	1,800	do 1, 1887

State Industrial School, Rochester.

Chief of Department of Discipline....	David Bruce, Jr. ....	1,500	June 1, 1892
Parole Agent .....	Lewis A. Haas .....	1,500	Mar. 20, 1894
do .....	Wm. H. Harrington .....	1,000	Apr. 1, 1893
Chaplain and Agent .....	Rev. F. F. Hickey .....	1,400	do 1, 1895
Chaplain .....	S. D. Baudin .....	600	Oct. 1, 1895

Commissioners of New Capitol.

Clerk .....	Henry E. Smith .....	1,500	Jan. 11, 1895
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House of Refuge for Women, Hudson.

Clerk to Board of Managers .....	Samuel N. Holsapple .....	600	Feb. 1, 1892
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Soldiers and Sailors' Home, Bath.

Superintendent .....	William F. Rogers .....	2,000	Oct 6, 1887
Adjutant .....	Samuel H. Leavitt .....	1,200	Aug. 1, 1887
Quartermaster .....	Frank P. Frost .....	1,200	Oct. 1, 1889
Surgeon .....	T. O. Burtson, M. D. ....	1,800	do 25, 1890
Assistant Surgeon .....	Emory Pixley, M. D. ....	900	Feb. 1, 1892
do .....	Henry C. Baum, M. D. ....	1,500	Jan. 1, 1895
Assistant Quartermaster. ....	S. S. Fairchild .....	720	do 20, 1890
Bookkeeper .....	Robert McPherson .....	600	Oct. 25, 1884
Clerk .....	Frederick McConnell .....	900	do 1, 1894
Engineer .....	George Densmore .....	1,200	do 1, 1894
Assistant Engineer .....	E. U. Havill .....	600	Aug. 1, 1883

Quarantine Commission.

Secretary .....	Charles F. Bruder .....	Fees.	Aug. 16, 1895
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Board of Port Wardens.

Secretary .....	Albert W. Dodge .....	\$1,800	Jan. 4, 1894
Collector .....	John Regan .....	1,200	Mar. 15, 1894

Department of Health Officer, Port of New York.

Deputy Health Officer .....	A. T. Talmadge, M. D. ....	2,700	Feb. 17, 1892
do do .....	E. B. Sanborn, M. D. ....	2,700	Sept 1, 1892
do do .....	J. M. Byron M. D. ....	2,700	Aug. 1, 1893
do do .....	Frank Abbott, Jr., M. D. ....	1,800	do 12, 1893

## SCHEDULE A — (Continued).

## Department Board of Excise, New York City.

Title of position.	NAME.	Salary.	Date of appointment.
Secretary .....	William H. Coyle .....	\$3,000	Apr. 22, 1895
Counsel .....	Julius M. Mayer.....	5,000	July 29, 1895
Cashier.....	Daniel Whalen.....	3,000	June 15, 1890
Assistant Cashier.....	David Hirsch.....	2,500	Apr. 16, 1895
Special Detective .....	Charles A. Burr.....	1,500	May 14, 1895
Special Agent.....	Carl T. Schmitt.....	1,200	Nov. 21, 1895
do .....	Patrick J. Moriarty.....	1,200	do 26, 1895
do .....	John Maher.....	1,200	Dec. 2, 1895
do .....	James Corbusier.....	1,200	do 2, 1895
do .....	Patrick Nulty.....	1,200	do 5, 1895
do .....	William L. Turner .....	1,200	do 2, 1895

## Commissioners of Subways, Brooklyn.

Secretary.....	George S. Elcock .....	2,000	May 27, 1892
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## Commissioners of the State Reservation, at Niagara.

Secretary and Treasurer.....	Henry E. Gregory.....	1,100	Jan. 30, 1888
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## Department of Public Works.

Assistant Superintendent .....	John N. Parker .....	3,000	Feb. 19, 1895
do do .....	Thomas Wheeler.....	3,000	do 19, 1895
do do .....	R. G. Lay .....	3,000	do 19, 1895
Superintendent of Repairs.....	John McDermott.....	1,500	Mar. 12, 1895
do do .....	John B. McKain.....	1,500	do 12, 1895
do do .....	Jacob Snell .....	1,500	do 5, 1895
do do .....	Charles A. Snyder.....	1,500	Feb. 27, 1895
do do .....	Charles A. Fowler.....	1,500	do 27, 1895
do do .....	Clinton Snook.....	1,500	Apr. 17, 1895
do do .....	L. H. King .....	1,500	do 17, 1895
do do .....	A. S. Farnum .....	1,500	Feb. 27, 1895
do do .....	James K. Burlingame.....	1,500	Mar. 8, 1895
do do .....	Frank B. Seeley.....	1,500	do 12, 1895
do do .....	John Kraft.....	1,800	do 22, 1895
do do .....	Frank B. Peck .....	1,500	do 5, 1895
do do .....	Edward Reed .....	1,500	do 5, 1895
do do .....	George Neddo.....	1,500	do 5, 1895
do do .....	W. J. Johnson .....	1,200	Apr. 17, 1895
do do .....	Frank M. Breed.....	1,500	Feb. 27, 1895
do do .....	Edgar Hughes .....	1,500	Mar. 6, 1895
do do .....	Henry Abbey .....	1,200	do 5, 1895
do do .....	C. I. Coddington .....	1,200	Apr. 10, 1895
Special Agent.....	J. M. Aikenhead .....	\$4 a day	do 30, 1895
do .....	Geo. S. Rivenburgh.....	4 a day	do 30, 1895
do .....	William Birdsall .....	4 a day	May 1, 1895
do .....	William B. Hotaling.....	4 a day	do 2, 1895
do .....	John Howard .....	4 a day	do 7, 1895
do .....	E. N. Walbridge.....	4 a day	Apr. 30, 1895
do .....	Charles W. Barnes.....	4 a day	Feb. 1, 1895
do .....	H. M. Hulsapple .....	3 a day	Apr. 26, 1895
do .....	Henry Quance .....	4 a day	July 5, 1895
Financial Clerk .....	Patrick J. McWeeney.....	2,500	Feb. 1, 1895

## State Land Survey.

General Assistant.....	C. W. Parke.....	130 a mo.	June 11, 1895
do .....	S. LeFevre .....	130 a mo.	do 11, 1895
do .....	T. W. Wright.....	130 a mo.	do 11, 1895
do .....	Olin Landreth.....	130 a mo.	do 11, 1895
do .....	Munson Nichols.....	130 a mo.	do 11, 1895
do .....	Willard D. Lockwood .....	130 a mo.	Sept. 18, 1895
do .....	G. W. F. Smith .....	130 a mo.	Oct. 12, 1895
do .....	Clyde W. Halliday .....	130 a mo.	Dec. 28, 1895
Inspector .....	William H. Meserve .....	100 a mo.	July 2, 1895



THIRTEENTH REPORT OF THE  
SCHEDULE A — (Continued).  
State Land Survey — (Continued).

Title of posi ion.	NAME.	Salary.	Date of appointment.
Local Expert.....	Daniel Lynch .....	\$100 a mo.	June 11, 1895
do .....	Lorrie Kelley .....	100 a mo.	do 11, 1895
do .....	Orson P. Morse .....	100 a mo.	do 11, 1895
do .....	M. U. Mitchell .....	100 a mo.	do 11, 1895
do .....	Jacob Francisco.....	100 a mo.	do 11, 1895
do .....	G. E. Thew.....	100 a mo.	July 19, 1895
do .....	George T. Chellis .....	100 a mo.	Aug. 6, 1895
do .....	H. S. Meekham .....	100 a mo.	do 6, 1895

Department of Public Buildings.

Deputy Superintendent.....	Jacob V. Jacobs .....	2,500	Apr. 1, 1895
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Auburn Prison.

Chaplain .....	Rev. Horatio Yates .....	2,000	Dec. 15, 1888
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Clinton Prison.

Chaplain .....	Rev. Anson Cheeseman....	2,000	Apr. 15, 1892
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Sing Sing Prison.

Chaplain ....	Rev. J. C. S. Weills .....	2,000	Dec. 26, 1892
State Detective .....	James Jackson .....	1,800	June 15, 1895

Supreme Court, New York City.

Clerk .....	Henry D. Purroy.....	Ex-officio.	Dec. 5, 1892
Clerk Appellate Division.....	Alfred Wagstaff .....	\$5,000	Jan. 1, 1896
Special Clerk to Van Brunt, P. J. ...	Marcus W. Hebbard .....	1,800	do 1, 1896
Special Clerk to Barrett, J.....	Raymond D. Thurber.....	1,800	do 1, 1896
Special Clerk to Patterson, J.....	George F. Campbell .....	1,800	do 1, 1896
Special Clerk to O'Brien J.....	Augustus H. Murphy .....	1,800	do 1, 1896
Special Clerk to Ingraham, J.....	Samuel D. Davis.....	2,500	do 1, 1896
Special Clerk to Williams, J .....	Robert P. Williams.....	2,500	do 1, 1896

City Court, New York City.

Clerk .....	John B. McGoldrick.....	4,500	Jan. 26, 1892
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Court of General Sessions, New York City.

Clerk .....	John F. Carroll .....	5,000	Jan. 19, 1892
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Appellate Division of Supreme Court, Brooklyn.

Clerk .....	John B. Byrne .....	3,000	Jan. 1, 1896
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Board of City Magistrates, New York City.

Secretary and Police Clerk .....	John S. Tebbetts.....	3,500	July 1, 1895
Police Clerk .....	Eben Demarest .....	2,500	Dec. 1, 1895
do .....	Ludwig F. Thoma.....	2,500	July 1, 1895
do .....	Philip Block.....	2,500	do 1, 1895
do .....	David M. Doramus.....	2,500	Aug. 1, 1895
do .....	James McCabe.....	2,500	July 1, 1895
Interpreter.....	Freid Weil .....	1,200	do 1, 1895
do .....	Gustave St. Albe.....	1,200	do 1, 1895
do .....	Arthur Erdofy.....	1,200	do 1, 1895
do .....	Morris Schwarz .....	1,200	do 1, 1895
do .....	Charles A. Anchisi.....	1,200	do 1, 1895
do .....	Bernard Herc.....	1,200	do 1, 1895

## SCHEDULE A — (Concluded).

## Court of Special Sessions, New York City.

Title of position.	NAME	Salary.	Date of appointment.
Interpreter.....	Gustave Simonson.....	\$2,000	July 1, 1895

## District Courts, New York City.

Clerk First District .....	Michael C. Murphy.....	3,000	Dec. 31, 1895
Assistant Clerk First District .....	John Purcell .....	3,000	do 1, 1887
Clerk Second District .....	Francis Mangin.....	3,000	do 29, 1893
Assistant Clerk Second District .....	James P. Divver .....	3,000	Jan. 1, 1894
Clerk Third District .....	Daniel Williams .....	3,000	Dec. 23, 1893
Assistant Clerk Third District .....	Thomas E. Gorman .....	3,000	do 23, 1893
Clerk Fourth District.....	John E. Lynch .....	3,000	Mar. 1, 1895
Assistant Clerk Fourth District .....	Alexander Bremer.....	3,000	June 17, 1893
Clerk Fifth District.....	Jeremiah Hayes .....	3,000	Dec. 31, 1895
Assistant Clerk Fifth District .....	James H. Sheils.....	3,000	do 26, 1893
Clerk Sixth District.....	Abram Bernard.....	3,000	do 29, 1893
Assistant Clerk Sixth District .....	Phillip Ahern .....	3,000	do 29, 1893
Clerk Seventh District.....	Joseph C. Wolff.....	3,000	do 4, 1895
Assistant Clerk Seventh District .....	Patrick McDavitt .....	3,000	Feb. 15, 1893
Clerk Eighth District .....	Thomas Costigan .....	3,000	Dec. 20, 1893
Assistant Clerk Eighth District.....	Robert J. Cook.....	3,000	do 20, 1893
Clerk Ninth District .....	William J. Kennedy .....	3,000	Jan. 1, 1892
Assistant Clerk Ninth District.....	Francis McMullen.....	3,000	do 1, 1892
Clerk Tenth District .....	William H. Germaine.....	3,000	Nov. 30, 1891
Assistant Clerk Tenth District.....	Richard D. Hamilton .....	3,000	Dec. 7, 1891
Clerk Eleventh District.....	James J. Galligan.....	3,000	do 4, 1893
Assistant Clerk Eleventh District....	Hugh Grant.....	3,000	May 15, 1889

## City Court, Brooklyn.

Clerk .....	John P. Hudson .....	3,200	July 1, 1892
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## District Courts, Brooklyn.

Clerk First District .....	Edward Moran.....	1,800	Dec. 27, 1883
Clerk Second District.....	Charles F. Wolz.....	1,800	June 6, 1888
Clerk Third District.....	James Dillon.....	1,800	May 1, 1888

## PERSONS HOLDING POSITIONS IN SCHEDULES B AND E.

N. B.—Positions the salaries of which are \$1,500 or more are included in Schedule E.

## Department of Secretary of State.

Title of position.	NAME.	Salary.	Date of appointment.
Examiner of Corporations.....	Frank White.....	\$2,200	Jan. 5, 1886
Assistant Examiner of Corporations.	James W. Bentley.....	1,600	do 1, 1894
Corporation Bookkeeper.....	Charles McKallor.....	1,500	do 1, 1894
Land Clerk.....	Charles V. Hooper.....	2,200	do 1, 1884
Stenographer and Confidential Clerk.	Freeborn G. Jewett.....	2,200	Feb. 1, 1888
Stenographer and Typewriter.....	Joseph S. Martin.....	1,080	May 1, 1894
do do .....	Frances L. Walters.....	900	Jan. 22, 1895
Clerk and Typewriter.....	Jeannie L. Dexter.....	600	do 2, 1895
Typewriter .....	Mabel Dorn.....	600	Dec. 12, 1894
do .....	Elizabeth Barry.....	900	Jan. 23, 1895
Clerk .....	Albert Cornwall.....	1,600	Apr. 7, 1886
do .....	Joseph M. Walter.....	1,200	Jan. 17, 1894
do .....	Ida L. Woolworth.....	1,200	do 5, 1893
Messenger.....	J. R. Terwilliger.....	1,000	do 1, 1894
do .....	Isaac LaGrange.....	800	do 1, 1894



SCHEDULE B -- (Continued).  
Department of Comptroller.

Title of position.	NAME.	Salary.	Date of appointment.
Warrant Clerk and Second Deputy...	Willis E. Merriman.....	\$3,000	Jan. 1, 1866
Accountant .....	William G. Shaible.....	2,000	Aug. 4, 1890
Special Accountant.....	Peter J. Masterson .....	1,500	Oct. 1, 1888
Entry Clerk .....	James A. Wendell .....	1,500	June 11, 1894
Voucher Clerk.....	William B. Wemple.....	1,500	Dec. 21, 1891
Stationery and Document Clerk.....	Edwin D. Thompson.....	1,600	Jan. 1, 1886
Stenographer .....	Andrew D. Devine .....	1,400	Apr. 25, 1890
Deed Clerk.....	Marcus B. Williams .....	1,600	July 1, 1877
Inheritance Clerk.....	Edward H. Pindar.....	1,600	Sept. 1, 1888
Assistant Inheritance Clerk.....	George E. Dutcher.....	1,400	Jan. 9, 1894
Assistant Clerk, Bureau of Canal Affairs .....	Thomas W. Cantwell .....	1,500	June 10, 1890
Assistant Estimate Clerk, Bureau Charitable Institutions. ....	Charles I. Van Lieu.....	1,500	Aug. 1, 1894
Index Clerk, Bureau Charitable Institutions.....	Mrs. Carrie M. Thompson..	600	do 20, 1894
Commissioner Corporation Tax Department (New York) .....	Charles I. Wilbur .....	3,000	Feb. 1, 1894
Commissioner Corporation Tax Department (Buffalo) ....	John R. Hazel.....	1,800	do 1, 1894
Assistant Corporation Clerk.....	Frank C. Vinton .....	1,500	May 1, 1894
do do .....	Clark A. Blodgett.....	1,500	Jan. 8, 1894
Law Clerk, Corporation Department.	James S. McPherson.....	1,500	Feb. 13, 1894
Tax Department Bookkeeper .....	George W. Bliss.....	1,600	July 20, 1877
Assistant Tax Clerk.....	William A. Bird.....	1,500	Apr. 27, 1894
Tax Correspondent.....	Henry A. Vanderpoel.....	1,500	Feb. 25, 1884
Tax Clerk .....	O. V. B. Taylor .....	1,500	Mar. 13, 1884
do .....	Miles G. Graham .....	1,400	Feb. 1, 1882
do .....	James G. Grindley.....	1,600	Mar. 22, 1890
do .....	Frank H. Brandow .....	1,400	Feb. 21, 1884
do .....	Charles Gould.....	1,200	Oct. 1, 1890
do .....	S. L. Kahn .....	1,200	Feb. 15, 1894
Estimate Clerk.....	Edward H. Underhill .....	1,500	do 15, 1895
Clerk .....	John F. Kelly .....	1,400	Dec. 12, 1894
do .....	Chauncey N. Titus.....	1,200	June 17, 1895
do .....	Norman K. Martin.....	1,200	do 18, 1895
do .....	E. M. Kempton ..	1,200	July 18, 1895
Bookkeeper .....	Frederick Schneider.....	1,200	Nov. 29, 1895
do .....	Byron M. Childs .....	1,200	do 29, 1895
do .....	James G. Hurty.....	1,200	Dec. 2, 1895
Tax Clerk.....	Henry True.....	\$4 a day	June 12, 1894
do .....	B. Frank Raze .....	4 a day	do 15, 1894
do .....	Charles E. Minard .....	4 a day	July 10, 1894
State Appraiser under Tuberculosis Act (Sixth Judicial District).....	Gerrit S. Simmons.....	5 a day	June 26, 1894
State Appraiser under Tuberculosis Act (Second Judicial District) .....	John C. Paulding .....	5 a day	July 9, 1894
State Appraiser under Tuberculosis Act (Third Judicial District).....	James F. Osterhoudt.....	5 a day	do 18, 1894
State Appraiser under Tuberculosis Act (Fourth Judicial District).....	Howard Vosburgh.....	5 a day	Sept. 29, 1894
State Appraiser under Tuberculosis Act (Fifth Judicial District) .....	Thomas W. Jones.....	5 a day	Oct 16, 1894
State Appraiser under Tuberculosis Act (Eighth Judicial District).....	Horace Landon .....	5 a day	do 29, 1894
Messenger.....	Worthington S. Farley ....	1,000	Feb. 19, 1891
Orderly .....	Joseph H. Allen .....	1,000	May 1, 1888
Forester.....	George L. Bouton .....	\$100 a mo.	Sept. 10 1894

Department of Treasurer.

Check Clerk.....	Isaac Blauvelt .....	1,600	July 16, 1894
Pay Clerk .....	D. S. Potter.....	3,000	Jan. 1, 1894
Chief Clerk.....	Charles W. Anderson.....	1,500	do 1, 1894
Corporation Clerk.....	J. L. McArthur .....	1,500	do 1, 1894
Clerk .....	M. McFarlan .....	1,000	Mar. 1, 1894
Bookkeeper .....	G. M. Hoyt .....	900	Feb. 1, 1894
Stenographer .....	Ada R. Sands .....	600	June 1, 1892
Messenger .....	Joseph F. White.....	1,000	Jan. 1, 1894



## SCHEDULE B — (Continued).

## Department of Attorney-General.

Title of position.	NAME.	Salary.	Date of appointment.
Financial Clerk.....	Michael H. Quirk .....	\$1,800	Jan. 1, 1888
Stenographer .....	William M. Thomas.....	1,800	do 1, 1888
Brief Clerk.....	George C. Baker .....	2,000	do 1, 1894
Assistant to Second Deputy.....	James A. McCormick.....	1,200	Apr. 1, 1894

## Department of Engineer and Surveyor.

Land Clerk.....	Henry C. Parsons.....	2,000	Feb. 14, 1886
Canal Clerk.....	Charles H. Whitbeck.....	1,200	July 23, 1886
Clerk .....	Thomas Rattoone.....	1,100	Sept. 1, 1887
Stenographer .....	T. C. Sweet.....	1,000	May 1, 1887
Assistant Engineer .....	T. C. Leutze .....	\$6.00 a day	Dec. 13, 1887
do .....	John R. Kaley.....	6.00 a day	July 29, 1892
do .....	A. C. Driscoll.....	6.00 a day	June 15, 1892
do .....	C. C. Huestis.....	5.00 a day	Mar. 1, 1894
do .....	W. L. Curtis.....	5.00 a day	Aug. 13, 1894
do .....	Georg M. Briggs .....	5.00 a day	Oct. 1, 1894
do .....	H. A. Van Alstyne.....	5.00 a day	Dec. 3, 1895
do .....	William W. Jeffers .....	6.00 a day	June 20, 1895
do .....	George W. Rafter.....	5.00 a day	July 23, 1895
Leveler.....	M. W. Wilbur.....	5.00 a day	Dec. 13, 1887
do .....	Edwin Styring.....	4.50 a day	June 1, 1892
do .....	Dorlan Clark.....	4.50 a day	do 6, 1892
do .....	Paul Schultze.....	4.50 a day	do 15, 1892
do .....	C. H. Flanigan.....	4.50 a day	Oct. 16, 1895
do .....	George C. Diehl .....	4.50 a day	June 20, 1895
do .....	Wallace Greenalch .....	4.50 a day	Jan. 14, 1895
do .....	L. B. Fitch .....	4.50 a day	Oct. 1, 1895
do .....	A. M. Evans.....	4.50 a day	Dec. 1, 1895
do .....	Frederick Lempe.....	4.50 a day	do 1, 1895
do .....	Guy H. Miller .....	4.50 a day	do 1, 1895
do .....	Francis N. Sanders.....	4.50 a day	do 1, 1895
do .....	F. A. Bagg .....	4.50 a day	do 15, 1895
do .....	D. D. Waldo.....	4.50 a day	do 15, 1895
Rodman.....	Fred J. Wagner.....	3.50 a day	May 1, 1895
do .....	C. M. Pepson.....	3.50 a day	June 1, 1887
do .....	J. D. Barrett.....	3.50 a day	Sept. 2, 1887
do .....	Frederick S. Strong .....	3.50 a day	Nov. 7, 1894
do .....	E. A. Lamb.....	3.50 a day	Sept. 3, 1894
do .....	Clarence H. Nichols.....	3.50 a day	Dec. 1, 1895
do .....	Lewis B. Jones.....	3.50 a day	do 1, 1895
do .....	H. C. Copeland .....	3.50 a day	do 15, 1895
Chainman.....	Ambrose Kelly .....	3.50 a day	May 1, 1894
do .....	John McMackin.....	3.50 a day	do 8, 1894
do .....	J. J. Allen.....	4.00 a day	Nov. 29, 1889
do .....	James Thompson.....	2.50 a day	Jan. 22, 1894
do .....	Frank Mauerman.....	2.50 a day	do 22, 1894
do .....	Walter Dube.....	2.50 a day	do 29, 1894
do .....	Bernard Toner.....	2.50 a day	do 12, 1894
do .....	William J. Gilmore .....	2.50 a day	do 22, 1894
do .....	George McDonald.....	2.50 a day	Feb. 1, 1894
do .....	Ralph Russell.....	3.50 a day	do 20, 1894
do .....	H. J. Richardson .....	2.50 a day	do 15, 1894
do .....	B. F. Bauder .....	4.00 a day	do 26, 1894
do .....	John J. Schmid .....	2.50 a day	do 1, 1894
do .....	William Rowlands .....	2.50 a day	do 15, 1894
do .....	Jay Capron .....	5.00 a day	Mar. 1, 1894
do .....	William Van Epps.....	2.50 a day	Dec. 1, 1895
do .....	Hiram S. Miller .....	2.50 a day	do 31, 1895
do .....	William Schneider.....	2.50 a day	Mar. 1, 1894
do .....	H. F. Smith.....	3.50 a day	June 20, 1894
do .....	F. D. Haak .....	4.00 a day	do 1, 1894
do .....	E. H. Lilly .....	2.50 a day	do 19, 1894
do .....	Arthur O'Brien .....	3.50 a day	Apr. 3, 1894
do .....	John Hackett.....	2.50 a day	Aug. 13, 1894
do .....	E. J. Berry.....	2.50 a day	do 2, 1892
do .....	L. Kavanaugh .....	2.50 a day	July 18, 1894
do .....	John Schimmell .....	2.50 a day	Apr. 19, 1894
do .....	C. K. Munroe.....	4.00 a day	Aug. 1, 1894
do .....	C. A. Cockroft.....	4.50 a day	Apr. 3, 1894

## SCHEDULE B — (Continued).

## Department of Engineer and Surveyor — (Continued).

Title of position.	NAME.	Salary.	Date of appointment.
Chainman.....	John Pinkle.....	\$2.50 a day	Sept. 1, 1894
do .....	Chauncey Hurlburt.....	2.50 a day	June 15, 1894
do .....	Frank Lutz .....	2.50 a day	Sept. 5, 1894
do .....	Henry Geck.....	2.50 a day	Aug. 1, 1887
do .....	O. H. Bogardus .....	2.50 a day	Oct. 8, 1894
do .....	L. K. Devendorf.....	2.50 a day	do 8, 1894
do .....	David E. Whitford.....	2.50 a day	Nov. 3, 1894

## Insurance Department.

Special Examiner .....	T. H. Newland. M. D.....	\$10 a day	Oct. 24, 1894
do .....	Thomas English .....	1,200	Dec. 14, 1894
do .....	W. M. Fleming. M. D.....	10 a day	do 17, 1894
do .....	E. C. Reynolds.....	1,200	do 22, 1894
do .....	John J. Cunningham.....	1,200	Jan. 1, 1895
do .....	John M. Hinckle.....	5 a day	do 8 1895
do .....	Eugene C. Kohler.....	1,000	Oct. 15, 1895
do .....	Thomas J. McCabe .....	2,000	July 9, 1891
do .....	Daniel Finley .....	1,700	Jan. 1, 1891
do .....	Joseph R. Warren .....	1,500	Sept. 12, 1887
do .....	F. A. Gremmler.....	1,800	May 1, 1891
do .....	Matthew Greagan.....	1,200	Feb. 1, 1894
do .....	F. A. Dack .....	1,200	Apr. 1, 1894
do .....	E. W. Carpenter.....	1,200	Jan. 1, 1894
do .....	S. A. Skinner .....	1,200	Oct. 15, 1894
do .....	T. W. Meaney .....	1,000	June 18, 1894
do .....	S. C. Hay.....	1,800	Mar. 21, 1894
do .....	F. E. Finnegan.....	1,200	June 16 1894
do .....	T. W. Crowley .....	10 a day	July 25, 1894
do .....	J. O. Tobias.....	7 a day	May 16, 1893
do .....	A. A. Vandemburgh.....	5 a day	do 12, 1893
do .....	G. F. Abel.....	5 a day	Aug. 1, 1894
do .....	E. B. Rankin, M. D.....	10 a day	Oct. 1, 1894
do .....	W. Curtiss .....	1,800	June 1, 1894
do .....	D. F. Gordan .....	1,800	Feb. 11, 1891
Clerk .....	Isaac Vanderpoel.....	3,000	July 6, 1883
do .....	Henry D. Appleton .....	3,000	June 1, 1883
do .....	Michael A. Nolan .....	2,000	do 1, 1883
do .....	James E. Cross .....	1,800	Jan. 13, 1883
do .....	William H. McCall .....	1,800	do 1, 1883
do .....	John E. Wallace.....	1,800	do 1, 1891
do .....	Thomas F. Behan.....	1,800	May 28, 1883
do .....	James H. G. Connell. ....	1,800	Jan. 1, 1884
do .....	M. B. Osborne.....	1,800	Oct. 7, 1883
do .....	Nathaniel Hyatt .....	1,600	July 1, 1883
do .....	Alexander Clark .....	1,400	Feb. 27, 1883
do .....	C. A. Nicoll .....	1,500	Dec. 30, 1893
do .....	C. S. Crippen.....	1,500	Jan. 1, 1890
Assistant Actuary .....	David H. Keefer.....	2,100	June 1, 1889
do .....	F. L. French.....	1,800	Jan. 22, 1890
do .....	Thomas J. Judge .....	1,800	Aug. 1, 1891
do .....	C. Mortimer Odell .....	1,800	June 1, 1889
Stenographer .....	Hubert A. Holahan.....	1,700	Mar. 18, 1891
do .....	E. J. McGoldrick.....	1,300	July 1, 1894
do .....	Mary L. Waite.....	1,000	Sept. 1, 1893
do .....	Sarah K. Seebacher.....	800	Oct. 15, 1892
Typewriter.....	Margaret E. McWilliams ..	1,200	Apr. 1, 1891
Messenger.....	Chester Donnelly .....	480	do 4 1894

## Banking Department.

Chief Clerk and Examiner .....	Samuel T. Hull.....	2,500	Apr. 1, 1890
Chief Record Clerk and Examiner....	John D. Moriarity.....	2,000	do 15, 1883
Clerk and Examiner .....	John J. Hart.....	1,500	do 3, 1890
do do .....	Oscar A. Jacobs .....	1,500	Feb. 11, 1896
do do .....	T. M. Romeyn .....	1,200	July 6, 1892
do do .....	W. J. Mcorrissey.....	1,200	Apr. 12 1892
Chief Examiner.....	Charles R. Hall .....	4,000	May 15, 1890
do .....	B. S. W. Clark .....	\$15 a day	— —, 1890



## SCHEDULE B — (Continued).

## Banking Department — (Continued).

Title of position.	NAME.	Salary.	Date of appointment.
Chief Examiner.....	A. C. Judson .....	\$18 a day	May 22, 1890
do .....	P. H. Backus.....	15 a day	June 1, 1891
do .....	M. S. Eustace .....	10 a day	Jan 16, 1890
do .....	A. H. Reynolds, Jr.....	10 a day	Feb. 1, 1894
Emergency Examiner.....	Philip Joyce .....	10 a day	— —, 1894
do .....	James McCall.....	10 a day	— —, 1894
Examiner .....	E. J. Connell .....	14 a day	Oct. 3, 1892
do .....	F. H. Parker .....	12 a day	May 1, 1890
do .....	P. H. Mooney .....	12 a day	Mar. 1, 1892
do .....	C. C. Dickinson .....	10 a day	— —, 1892
do .....	S. L. Slade .....	12 a day	Jan. 27, 1893
do .....	F. E. Wadhams .....	10 a day	— —, 1893
Assistant Examiner .....	F. D. Sherman.....	10 a day	Oct. 28, 1892
do .....	E. L. Judson .....	10 a day	— —, 1894
do .....	F. W. Jackson .....	10 a day	June 2, 1893
do .....	F. A. Waters .....	10 a day	— —, 1894
do .....	Ambrose Jones.....	10 a day	Sept 14, 1894
do .....	E. K. Henderson.....	8 a day	June 1, 1894
do .....	H. M. Wendall .....	8 a day	— —, 1894
do .....	H. J. Young.....	10 a day	Oct. 3, 1895
do .....	H. S. Champlin .....	8 a day	Dec. 7, 1895
do .....	W. S. Allen .....	8 a day	do 16, 1895
do .....	James S. Love .....	8 a day	do 16, 1895
do .....	Richard E. Reilly.....	8 a day	do 21, 1895
Stenographer .....	Mary E. Norris.....	\$600	do 30, 1895

## Department of Public Instruction.

Supervisor Teachers' Institutes .....	A. S. Downing .....	3,500	Apr. 8, 1895
Law Clerk.....	Edwin M. Holbrook.....	3,000	do 21, 1892
Statistical Clerk .....	Edward C. Douglas .....	2,100	Oct. 1, 1895
Clerk .....	DeLancey M. Ellis.....	1,000	do 1, 1895
Examination Clerk.....	Thomas E. Finnegan .....	2,500	Dec. 1, 1892
Stenographer .....	A. R. McDonald.....	1,400	June 9, 1892
do .....	Ida V. Burch.....	1,200	Oct. 1, 1894
do .....	Kate E. Chamberlain.....	1,200	do 1, 1895
Inspector Teachers' Training Classes	Elisha Curtiss.....	2,500	Sept. 1, 1892
do do do	S. W. Maxson.....	2,000	Apr. 8, 1895
do do do	J. L. Sweeney.....	2,500	Nov. 1, 1892
do do do	Frank H. Wood.....	2,500	do 25, 1895
Conductor Teachers' Institutes.....	Henry R. Sanford.....	3,000	Sept. 1, 1884
do do .....	Isaac H. Stout .....	3,000	do 1, 1886
do do .....	Welland Hendrick .....	3,000	do 1, 1893
do do .....	A. C. McLachlan.....	3,000	do 1, 1893
Instructor Teachers' Institutes.....	Gratia L. Rice .....	2,000	do 1, 1892
do do .....	Mrs. B. E. Burke.....	2,000	do 1, 1893
do do .....	Anne K. Eggeston.....	2,000	do 1, 1894
do do .....	Florence B. Himes.....	1,000	May 1, 1894
Examiner .....	Howard B. Harrison.....	1,800	June 10, 1895
do .....	E. A. Waugh .....	1,800	do 1, 1894
do .....	J. H. Mann .....	1,800	do 1, 1894
do .....	C. W. Halliday.....	1,800	do 1, 1894
do .....	A. C. Hill.....	1,800	July 1, 1894
Assistant Examiner .....	Miss M. A. McDonough .....	1,000	Oct. 1, 1894
Librarian .....	Leon O. Wiswell.....	2,100	Nov. 1, 1895
do .....	James A. Skinner.....	1,800	Dec. 20, 1895

## Department of State Prisons.

Clerk .....	Charles K. Baker.....	4,000	Dec. 1, 1894
Messenger.....	Fred H. Duell.....	1,100	Feb. 1, 1888
Stenographer .....	Florence DeForest.....	.....	Jan 28, 1893

## Office Clerk Court of Appeals.

Remittitur Clerk .....	Richard M. Barber.....	2,500	Feb. 1, 1889
Chancery Clerk .....	William Honig .....	2,000	do 1, 1889
Messenger and Stenographer.....	William J. Armstrong.....	800	do 1, 1895



SCHEDULE B — (Continued).

Office of Reporter, Court of Appeals.

Title of position.	NAME.	Salary.	Date of appointment.
Assistant .....	Edwin A. Bedell.....	\$3,600	Oct. 1, 1888
Clerk .....	Dickinson Courtney .....	2,000	Feb. 1 1872
do .....	Louis J. Rezzemini.....	1,000	June 1, 1888

Department of Railroad Commission.

Inspector.....	F. K. Baxter .....	3,000	Jan. 1, 1892
Accountant .....	John D. McMahon .....	3,000	do 1, 1894
Assistant Accountant.....	Albert L. Judson.....	1,800	Dec. 15, 1893
Stenographer .....	Edward C. McEntee.....	1,800	Mar. 10, 1883
Assistant Stenographer .....	John J. Farley .....	600	do 27, 1895
Clerk ..	W. H. Terrell .....	1,500	Apr. 1, 1883
do .....	George L. Lewis .....	1,500	May 1, 1892
do .....	William McNeilly.....	1,500	Mar. 15, 1892
Proofreader.....	P. J. Doyle .....	1,500	Apr. 1, 1892
Marshal .....	William J. Sullivan ....	1,500	July 1, 1893

Department of Board of Charities.

Superintendent State and Alien Poor.	Charles S. Hoyt.....	3,500	July 1, 1895
Inspector of Charities .....	James L. Fanning .....	3,000	do 1, 1895
Clerk .....	Julia S. Hoag .....	\$3.25 a day	do 1, 1875

Department of Regents of the University.

Chief Clerk and Examiner.....	Asa O. Gallup.....	2,400	Jan. 1, 1892
Record Clerk .....	Adele B. Alexander.....	900	Nov. 1, 1878
Assistant Record Clerk.....	Isabel Lamont .....	600	do 18, 1886
Credential Clerk .....	Mrs. Ida G. McMillan .....	960	Dec. 18, 1889
Clerk .....	Herbert J. Hamilton .....	900	do 20, 1894
do .....	H. I. Knickerbocker .....	1,200	do 20, 1894
do .....	Henry L. Rupert.....	1,200	June 20, 1895
do .....	Fred M. Baker ..	660	Mar. 1, 1891
do .....	Veronica Sheehan .....	360	Apr. 5, 1894
do .....	May A. G. Mullens .....	240	do 5, 1894
do .....	Jessie Rathbun.....	300	do 5, 1894
do .....	Katharine A. Wasserbach.	360	do 5, 1894
do .....	Mrs. Julia M. Ronan .....	300	Feb. 20, 1895
do .....	Emelie Phillips.....	240	Mar. 1, 1895
do .....	Kate G. Hannan .....	240	do 1, 1895
do .....	Grace E. Barber .....	240	do 1, 1895
do .....	Harriet M. Hopkins.....	240	do 1, 1895
do .....	Kathryn Mattimore... ..	240	do 1, 1895
do .....	Stella Mattimore.....	240	do 1, 1895
do .....	Margaret Finerty .....	240	do 4, 1895
do .....	Mary N. Cox .....	240	June 7, 1895
do .....	Lillian O'Connor.....	240	do 7, 1895
Stenographer .....	Frank T. Boland.....	1,200	do 12, 1891
do .....	Minnie L. Vanderzee.....	720	Oct. 13, 1890
do .....	Julia Z. Mahoney .....	480	Mar. 18, 1893
Examiner .....	Charles F. Wheelock .....	3,000	Oct. 6, 1891
do .....	Charles N. Cobb .....	2,100	Apr. 20, 1893
do .....	Myron T. Scudder ..	2,100	May 9, 1892
do .....	Rowland S. Keyser .....	1,500	Nov. 27, 1893
do .....	George H. Quay .....	720	Apr. 17, 1895
do .....	Ella A. Kingsley.....	360	May 31, 1895
do .....	Elizabeth L. Young.....	360	June 7, 1895
do .....	Cera Bowman.....	360	do 7, 1895
do .....	I. O. Crissey.....	600	do 22, 1895
do .....	A. G. Clement.....	2,100	do 28, 1895
do .....	Annie M. Tremaine .....	600	do 26, 1895
do .....	Sarah L. Gardiner.....	600	do 26, 1895
do .....	Anna M. Reiten .....	360	do 26, 1895
do .....	H. H. Snell.....	\$5 a day	July 26, 1895
do .....	A. M. Clark .....	600	Aug. 1, 1895
do .....	Joseph W. Ellis.....	1,200	Oct. 1, 1891
do .....	Verlista Shaul .....	1,200	Sept. 1, 1890

## SCHEDULE B — (Continued).

## Department of Regents of the University — (Continued).

Title of position.	NAME.	Salary.	Date of appointment.
Examiner .....	Ella L. Richardson.....	\$600	Dec. 1, 1891
do .....	James H. Gibson .....	1,200	May 9, 1892
do .....	Katharine H. Chapman....	480	Aug. 5, 1891
do .....	Mary E. Keyes.....	600	Nov. 24, 1890
do .....	Katherine L. McDonough..	780	do 26, 1890
do .....	Mary A. O'Connor .....	600	July 31, 1891
do .....	Annie T. Keyser.....	900	Oct. 1, 1891
do .....	Harriet B. Kennedy .....	600	do 1, 1891
do .....	Grace L. Betteridge.....	780	Feb. 9, 1894
do .....	Cora Stranahan.....	840	Apr. 5, 1894
do .....	William L. Widdemer.....	480	Aug. 13, 1894
do .....	Minnie L. O'Neill.....	540	Oct. 1, 1891
do .....	Katharine I. Smith.....	480	do 5, 1891
do .....	Agnes H. O'Neill.....	480	Feb. 1, 1892
Examiner and Clerk.....	Emma J. Wensley .....	480	Apr. 3, 1893
College Assistant.....	Myrtilla Avery.....	1,020	Nov. 1, 1892
do .....	Grace Eastman .....	720	do 1, 1892
do .....	Linda D. Puffer .....	720	Dec. 19, 1893
Junior Clerk ... ..	George T. Waterman .....	300	Oct. 23, 1894
do .....	Helen Scopes .....	300	Jan. 29, 1895
do .....	Ella R. McDowell .....	420	Aug. 17, 1891
do .....	Anna Weis .....	360	July 20, 1892
do .....	Alice McCormack.....	600	Dec. 15, 1891
do .....	Mary Francis Ronan.....	420	Feb. 5, 1892
do .....	Elizabeth G. Fealey.....	540	do 6, 1892
do .....	Anna Downs .....	240	Mar. 1, 1895
do .....	Oscar Treder.....	360	do 4, 1895
do .....	Grace D. Allen... ..	420	Feb. 8, 1892
do .....	Elisa Van .....	240	June 7, 1895
do .....	Katherine E. Cassidy.....	420	Apr. 12, 1893
do .....	Julia Ryan.....	360	do 13, 1893
do .....	Lena S. Van Derlip.....	540	June 9, 1893
do .....	Agnes E. Flinn.....	300	Aug. 21, 1893
do .....	Minnie I. Bull .....	240	June 20, 1894
do .....	Wm. L. Sweers .....	300	do 20, 1894
do .....	Laura Stephens.....	240	do 20, 1894
do .....	Nellie S. Mesick.....	240	do 20, 1894
do .....	Mary F. Reany.....	240	.....
do .....	Howard La Moure .....	360	July 25, 1894
do .....	Marcia M. Vander Veer....	420	Aug. 11, 1894
do .....	Loretta G. Bowen.....	240	do 11, 1894
do .....	Edward Mullen .....	240	Mar. 4, 1895
do .....	Charles A. Reilly.....	240	do 4, 1895
Messenger.....	John Gardinier .....	480	Dec. 8, 1881
do .....	Z. Francis Shafer.....	360	June 1, 1894
do .....	Martin F. Lynch .....	420	Aug. 1, 1894
do .....	Charles W. Reynolds.....	360	June 20, 1894
Page .....	James J. Nolan.....	360	Oct. 28, 1892
do .....	George B. Graves.....	300	Dec. 21, 1892

## State Library.

Law Librarian.....	Stephen B. Griswold.....	2,000	June 8, 1868
Catalog Librarian .....	Walter S. Biscoe.....	2,000	Apr. 1, 1889
Reference Librarian.....	D. V. R. Johnston.....	2,000	July 1, 1883
Assistant Law Librarian .....	Harry E. Griswold.....	1,200	do 14, 1880
Assistant Librarian.....	May Seymour.....	1,500	Apr. 1, 1889
Archivist.....	George R. Howell.....	2,000	Dec. 12, 1888
Director's Assistant .....	Florence Woodworth .....	1,200	Apr. 1, 1889
Vice Director Library School .....	Mary S. Cutler.....	1,500	do 1, 1889
Assistant.....	Ada A. Jones.....	1,200	do 1, 1889
do .....	Charlotte S. Feary.....	660	Oct. 1, 1892
do .....	Mary E. Hawley .....	780	do 1, 1893
do .....	Martha T. Wheeler.....	900	July 14, 1891
do .....	Mary Ellis.....	600	Nov. 27, 1893
do .....	Minnie E. Budd .....	540	Dec. 23, 1893
do .....	Anna Sennett.....	420	Mar. 1, 1894
do .....	Martha Vane.....	360	do 6, 1894
do .....	Ada Bunnell .....	960	July 14, 1891
do .....	Mary L. Sutliff .....	720	June 8, 1891



## THIRTEENTH REPORT OF THE

## SCHEDULE B — (Continued).

## State Library—(Continued).

Title of position.	NAME.	Salary.	Date of appointment.
Assistant, .....	George G. Champlin.....	\$600	Aug. 1, 1894
do .....	Herbert W. Denio .....	660	do 1, 1894
do .....	Jenny L. Christman .....	600	Oct. 1, 1894
do .....	Lottie A. Wemple.....	480	Jan. 1, 1895
do .....	Saidee B. Budd .....	360	do 1, 1895
do .....	Martha L. Phelps .....	480	Mar. 1, 1894
do .....	Ellen D. Biscoe ...	600	Oct. 17, 1895
do .....	Edward D. Durand .....	1,200	do 17, 1895
do .....	Judson T. Jennings.....	780	Oct. 1, 1892
Inspector .....	W. R. Eastman .....	1,800	Aug. 1, 1892
Stenographer .....	Alfarata Chapman.....	600	do 17, 1891
Junior Clerk.....	Fannie M. Wensley .....	480	Jan. 22, 1892
do .....	Dora Schlessinger .....	600	Feb. 8, 1892
do .....	Ellen F. Sands .....	480	July 20, 1892
do .....	Minnie Sennett .....	480	do 18, 1892
do .....	Joseph O'Brien .....	480	do 1, 1893
Page .....	Chester Utter.....	600	Apr. 3, 1891
do .....	Patrick F. Driscoll.....	480	Oct. 1, 1890
do .....	Michael Driscoll.....	300	Sept. 12, 1892
do .....	John McDonald.....	420	Apr. 3, 1891
do .....	Gerald Griffin.....	360	Dec. 22, 1892

## State Museum.

Director .....	Frederick J. H. Merrill ....	2,000	Oct. 1, 1890
Assistant Paleontologist.....	John M. Clarke .....	2,000	Jan. 1, 1886
Clerk .....	Jacob Van Deloo.....	600	Feb. 4, 1892
Lithographer.....	Philip Ast.....	1,500	June 1, 1867
Draftsman .....	E. Emmons .....	600	July 20, 1867
Messenger.....	Martin Sheehy....	600	May 1, 1877
Page .....	Joseph Morje .....	240	Dec. 23, 1892
Assistant Curator .....	J. N. Nevins.....	600	Jan. 5, 1895
Assistant Entomologist.....	E. P. Felt .....	600	Oct. 4, 1895

## Department of Commission in Lunacy.

Clerk and Stenographer.....	Carroll F. Smith. ....	2,200	July 18, 1889
Auditor of Accounts.....	George D. Sanford. ....	3,500	May 1, 1893
Voucher Clerk .....	Harry E. Cole.....	2,200	Jan. 1, 1894
Transfer Agent .....	Patrick Ford, Jr .....	1,000	May 1, 1893
do .....	Lyman Robinson.....	1,000	June 1, 1893
Stenographer .....	Edward L. Hanes.....	1,000	Apr. 8, 1895
do .....	Lucy A. O'Brien .....	720	Feb. 28, 1894
Clerk and Indexer .....	Mary E. Passenger.....	900	Dec. 1, 1893
Estimate Clerk .....	Mary F. Ray.....	900	Apr. 18, 1894
Assistant Voucher Clerk.....	Lillian A. Walker .....	900	July 9, 1894
Junior Clerk.....	Hannah C. Hamlin .....	600	Mar. 7, 1895
Page .....	John H. Flinn.....	300	May 5, 1894

## Binghamton State Hospital.

Superintendent .....	Charles G. Wagner. M. D..	3,800	Feb. 8, 1892
First Assistant Physician .....	Charles C. Eastman, M. D.	2,500	Oct. 24, 1881
Second Assistant Physician .....	William A. White, M. D....	1,500	Apr. 22, 1892
Assistant Physician.....	Louis W. Dodson, M. D....	1,500	Oct. 24, 1892
do .....	Arthur P. Summers, M. D..	1,400	Oct. 9, 1893
Junior Physician.....	Robert G. Wallace, M. D...	900	Apr. 10, 1895
Woman Physician .....	E. Gertrude Crum, M. D...	1,500	Oct. 1, 1890
Steward .....	Edwin Evans.....	2,000	July 1, 1880
Bookkeeper .....	Charles B. Markham.....	960	Nov. 23, 1889
Matron.....	Lavina S. Smith .....	600	do 1, 1881
Stenographer .....	Jennie S. Wilbur.....	720	May 13, 1889
Accountant .....	Robert J. Powers .....	864	Nov. 3, 1894
Clerk .....	Lizzie Armstrong .....	306	Jan. 1, 1885
Voucher Clerk.....	Edward S. Graney .....	600	do 1, 1896
Apothecary .....	Burt E. Nelson. ....	600	Oct. 8, 1894
Chief Engineer.....	Samuel F. Collins.....	1,290	July 1, 1880



## SCHEDULE B — (Continued).

## Binghamton State Hospital—(Continued).

Title of position.	NAME.	Salary.	Date of appointment.
Engineer .....	John J. Eastman.....	\$840	May 21, 1889
do .....	Martin Whittaker.....	720	Nov. 1, 1880
do .....	Charles Poke.....	600	do 1, 1881
do .....	Homer Bennett .....	480	July 1, 1886
do .....	J. F. Spengler.....	480	Sept. 1, 1883
Electrician .....	John H. Johnson .....	900	Aug. 1, 1894
Assistant Electrician .....	Joseph Griffith.....	780	Oct. 1, 1894
do .....	George Shumway.....	600	Dec. 1, 1895

## Long Island State Hospital, Brooklyn.

General Superintendent .....	W. E. Sylvester, M. D. ....	2,500	Oct. 1, 1895
Medical Superintendent .....	Robert M. Elliott, M. D....	1,800	Nov. 11, 1895
First Assistant Physician.....	Ira O. Tracy, M. D.....	1,200	Oct. 1, 1895
Second Assistant Physician .....	Fred M. Nebrbas, M. D....	900	do 1, 1895
Assistant Physician .....	John McGuire, M. D.....	900	do 1, 1895
do .....	D. E. Warren, M. D.....	800	do 1, 1895
do .....	D. M. Trice, M. D.....	600	do 1, 1895
do .....	Frank E. Smith, M. D.....	450	do 1, 1895
do .....	B. G. Williams, M. D.....	450	do 1, 1895
do .....	W. H. Hagenbach, M. D...	450	do 1, 1895
Junior Physician .....	G. A. Mack, M. D.....	450	do 1, 1895
Woman Physician .....	Caroline L. Bristol, M. D..	1,200	do 1, 1895
Apothecary .....	Henry Knopf, Jr.....	480	do 1, 1895
do .....	William Tompkins .....	480	do 1, 1895
Instructor in Physical Culture .....	Mary G. Potter.....	480	do 1, 1895
Stenographer .....	Augusta M. Palmer .....	480	do 1, 1895
do .....	Mary E. Patterson.....	480	Nov. 8, 1895
do .....	Malvin E. Mambert.....	600	Oct. 11, 1895
do .....	Anna T. Quinn.....	480	Nov. 25, 1895
Bookkeeper .....	Lewis Webb .....	600	do 8, 1895
Steward .....	Hugh Carboy .....	1,000	Oct. 1, 1895
Assistant Steward.....	James D. Lamb.....	1,000	do 1, 1895
do .....	Frederick A. Wheeler .....	600	do 5, 1895
Matron .....	Marie A. Johnson.....	600	do 3, 1895
do .....	Margaret French .....	480	do 1, 1895
Clerk and Typewriter .....	Mary H. Clay.....	480	do 1, 1895
Clerk .....	John Moore.....	360	do 1, 1895
do .....	Clifford Crosby .....	360	do 1, 1895
do .....	James L. Crane .....	216	do 1, 1895
do .....	John McTiernan.....	324	do 3, 1895
do .....	Oliver A. Kilmer.....	480	Nov. 8, 1895
Chief Engineer .....	William H. Kilfoile .....	1,200	Dec. 2, 1895
Engineer .....	Patrick Garragan .....	900	Oct. 1, 1895
do .....	Michael Hogan .....	900	do 1, 1895
do .....	James Moran .....	900	do 1, 1895
do .....	Daniel Watson.....	900	do 1, 1895
do .....	Richard Gibney.....	900	do 1, 1895
do .....	William Brennan .....	900	do 1, 1895

## Buffalo State Hospital.

Superintendent.....	Arthur W. Hurd, M. D.....	3,700	Nov. 13, 1894
First Assistant Physician .....	Percy Bryant, M. D.....	2,100	Jan. 15, 1895
Second Assistant Physician .....	George G. Armstrong, M.D.	1,500	Nov. 1, 1895
Assistant Physician.....	Walter H. Conley, M. D....	1,300	do 1, 1895
Junior Physician .....	Joseph B. Betts, M. D.....	900	Dec. 5, 1895
Woman Physician.....	Helene Kuhlmann, M. D...	1,300	Nov. 21, 1892
Apothecary .....	William E. Burr.....	600	Oct. 7, 1895
Steward .....	Thomas Wilding.....	1,900	Nov. 10, 1891
Matron .....	Florence A. Seeley.....	696	do 10, 1891
Stenographer .....	Anna G. Clarke .....	588	July 25, 1891
Bookkeeper .....	John E. Culp.....	1,008	Nov. 4, 1893
Accountant .....	Dennis W. Seymour .....	888	Apr. 1, 1893
Voucher Clerk.....	Francis U. Burke .....	648	Nov. 4, 1893
Chief Engineer.....	Thomas Sutcliffe.....	1,300	Feb. 24, 1887
Assistant Engineer .....	William Gowdy .....	800	Dec. 1, 1880
Electrical Engineer.....	James D. Leonard.....	900	Mar. 8, 1894

THIRTEENTH REPORT OF THE  
SCHEDULE B — (Continued).  
Middletown State Hospital.

Title of position.	NAME.	Salary.	Date of appointment.
Superintendent .....	Selden H. Talcott, M. D....	\$4,500	Apr. 24, 1877
First Assistant Physician .....	George Allen, M. D.....	2,500	May 1, 1890
Second Assistant Physician .....	C. Spencer Kinney, M. D...	2,000	Dec. 1, 1880
Assistant Physician .....	Daniel H. Arthur, M. D....	1,500	May 1, 1887
do .....	Maurice C. Ashley, M. D...	1,500	Sept. 1, 1892
Woman Physician .....	Clara Barrus, M. D.....	1,300	Mar. 1, 1893
Matron .....	Lucy T. Judson .....	528	Oct. 1, 1893
Steward .....	John Cochran .....	2,000	Sept. 1, 1874
Bookkeeper .....	Henry J. Leonard .....	990	do 22, 1879
Accountant .....	Seth R. Leonard .....	840	Feb. 4, 1883
Voucher and Treasurer's Clerk .....	Wesley D. Robinson .....	480	.....
Stenographer .....	Charles S. McKnight .....	600	Nov. 14, 1894
do .....	Elizabeth F. Moran .....	600	July 25, 1883
Chief Engineer .....	C. F. Catiliaz .....	1,200	Sept. 1, 1895
Engineer .....	Charles Green .....	750	Aug. 1, 1889
Electrician .....	Thomas J. Morris .....	990	Mar. 5, 1891
Assistant Electrician .....	Harry N. Ramsey .....	720	Nov. 12, 1895

St. Lawrence State Hospital.

Superintendent .....	P. M. Wise, M. D.....	5,000	Feb. 1, 1890
First Assistant Physician .....	Arthur M. Collier, M. D....	2,000	Nov. 1, 1895
Second Assistant Physician .....	R. H. Hutchings, M. D....	1,500	do 1, 1895
Assistant Physician .....	E. M. Somers, Jr., M. D....	1,200	July 27, 1895
do .....	Warren L. Babcock, M. D..	1,000	Aug. 9, 1895
Junior Physician .....	Walter H. Kidder, M. D....	900	Sept. 20, 1895
Woman Physician .....	Caroline S. Pease, M. D....	1,200	May 1, 1894
Apothecary .....	William J. Mea .....	576	Dec. 1, 1891
Accountant .....	Thomas Dinneen .....	882	Oct. 1, 1892
Stenographer .....	Kate A. Taylor .....	480	Dec. 1, 1895
do .....	Lucy E. Miller .....	576	Sept. 1, 1891
Clerk .....	Edith Ives .....	500	Jan. 1, 1896
Steward .....	William C. Hall .....	1,500	Nov. 15, 1890
Electrician .....	Willard J. Barnes .....	960	Mar. 1, 1895
Assistant Electrician .....	John Cartin .....	600	Jan. 1, 1891
do .....	Duncan King .....	500	do 1, 1891
Assistant Engineer .....	James O'Neill .....	690	Aug. 1, 1890
do .....	Timothy McBride .....	600	June 1, 1891
do .....	William H. Hughes .....	600	Nov. 1, 1894

Hudson River State Hospital.

Superintendent .....	Charles W. Pilgrim, M. D..	4,100	Feb. 1, 1890
First Assistant Physician .....	J. Elvin Courtney, M. D...	2,400	Dec. 1, 1891
Second Assistant Physician .....	Charles H. Langdon, M. D.	2,000	Apr. 1, 1882
Assistant Physician .....	Isham G. Harris, M. D....	1,500	Nov. 9, 1891
do .....	Thomas E. Bamford, M. D.	1,500	Oct. 1, 1890
do .....	Paul A. Phillips, M. D....	1,100	Jan. 1, 1894
Junior Physician .....	Herbert E. Baright, M. D..	900	Dec. 1, 1895
Woman Physician .....	Emma Putnam, M. D.....	1,500	Apr. 1, 1889
Matron .....	Lillian E. Collyer .....	648	Dec. 1, 1893
Steward .....	D. Porter Lord .....	2,000	do 2, 1885
Bookkeeper .....	E. Lyman Brown .....	1,080	Sept. 1, 1889
Accountant .....	Chas. J. Vandemark .....	960	Feb. 1, 1886
Medical Clerk .....	William O. Wheeler .....	420	Sept. 1, 1890
Voucher and Treasurer's Clerk .....	William R. Wright .....	690	Feb. 1, 1886
Apothecary .....	Howard E. Hoag .....	576	Oct. 1, 1891
Stenographer .....	Peter J. Gordau .....	528	May 1, 1893
do .....	George R. Finton .....	600	Oct. 1, 1889
Typewriter .....	Nellie McGregan .....	324	Dec. 1, 1893
Indexer and Teacher .....	Henrietta Lounsbury .....	312	June 1, 1894
Chief Engineer .....	William C. Atkinson .....	1,200	Oct. 1, 1893
Assistant Engineer .....	Paul Faivre .....	720	Nov. 1, 1894
do .....	John Shea .....	810	Feb. 1, 1880
do .....	Florence McAuliffe .....	720	Nov. 1, 1867
do .....	Patrick O Hare .....	720	Jan. 1, 1887
do .....	Martin Delaney .....	720	Mar. 1, 1889
do .....	Garrett Buck .....	720	Dec. 1, 1888
do .....	Robert Cruthers .....	600	Oct. 1, 1889
do .....	John W. Rownan .....	600	Jan. 1, 1887
Electrical Engineer .....	Louis J. Cobey .....	900	Feb. 1, 1891
Electrical Engineer's Assistant .....	James Smith .....	840	Sept. 1, 1890
do do .....	Thomas Eagan .....	600	Aug. 1, 1893



## SCHEDULE B — (Continued).

## Rochester State Hospital.

Title of position.	NAME.	Salary.	Date of appointment.
Superintendent .....	E. H. Howard, M. D.....	\$4,500	July 1, 1891
First Assistant Physician .....	E. B. Potter, M. D.....	2,500	do 1, 1881
Second Assistant Physician .....	Flavius Packer, M. D.....	1,500	Jan. 1, 1896
Woman Physician .....	E. P. Ballintine, M. D.....	1,400	July 1, 1891
Steward .....	W. S. Remington.....	1,900	do 1, 1891
Matron .....	M. E. May.....	720	Jan. 1, 1890
Accountant .....	E. R. Quackenbush .....	816	do 1, 1892
Stenographer .....	Theresa X. Ryan.....	504	May 9, 1894
Chief Engineer .....	George Hennegan.....	1,290	Sept. 28, 1893
Assistant Engineer .....	Edward Finnerty .....	660	July 1, 1891
Electrician.....	Joseph Cook .....	810	do 1, 1891

## Utica State Hospital.

Superintendent .....	G. Alder Blumer, M. D.....	4,000	Dec. 14, 1886
First Assistant Physician .....	H. L. Palmer, M. D.....	2,000	do 11, 1895
Second Assistant Physician .....	W. C. Gibson, M. D.....	1,600	do 11, 1895
Junior Physician.....	J. Nelson Teeter, M. D.....	1,400	do 11, 1895
Woman Physician .....	Clara Smith, M. D.....	1,200	May 15, 1891
Matron .....	Emma Barker.....	500	Oct. 1, 1867
Steward .....	J. R. Jones.....	1,400	Jan. 11, 1887
Accountant .....	Charles A. Mosher.....	810	do 1, 1896
Bookkeeper .....	Joseph Aldridge .....	1,200	June 3, 1895
Stenographer .....	Rees P. Pughe .....	1,020	Dec. 23, 1894
do .....	Henry Duckett.....	480	Jan. 1, 1896
Apothecary .....	Charles Z. Zip .....	600	Nov. 21, 1895
Chief Engineer .....	E. M. Hungerford.....	1,320	Aug. 27, 1890
Assistant Engineer .....	Frederick Cono .....	600	Jan. 1, 1896
do .....	J. G. Somers.....	456	Mar. 30, 1887
Electrician .....	Valentine C. Wynne .....	960	Feb. 8, 1895
Assistant Electrician.....	Samuel G. Ferguson.....	720	Jan. 1, 1896

## Willard State Hospital.

Superintendent .....	William Mabon, M. D.....	3,500	Nov. 1, 1895
First Assistant Physician .....	Henry P. Frost, M. D.....	2,100	Oct. 1, 1894
Second Assistant Physician .....	Samuel F. Mellen, M. D....	1,600	do 1, 1894
Assistant Physician .....	Thomas J. Currie, M. D....	1,500	Dec. 1, 1891
do .....	George O'Hanlon, M. D....	1,400	Jan. 1, 1893
do .....	Frederick E. Boulby, M. D..	1,300	do 1, 1895
do .....	Charles F. Sanborn, M. D..	1,300	Feb. 1, 1895
do .....	Robert E. Doran, M. D....	900	Mar. 1, 1895
Junior Physician.....	George B. Wheeler, M. D....	900	Dec. 20, 1895
Woman Physician .....	J. Ernestine Hills, M. D....	1,200	Oct. 26, 1895
Matron .....	Juhet W. Wyman.....	600	Jan. 1, 1885
Steward .....	M. J. Gilbert.....	2,000	Apr. 1, 1873
Accountant .....	Richard M. Denton.....	720	Jan. 1, 1896
Bookkeeper .....	William J. McKee.....	840	do 1, 1896
Vouchers and Treasurer's clerk.....	George L. Gray .....	600	do 1, 1896
Stenographer .....	Warren L. Braman .....	624	Feb. 1, 1894
Stenographer and Telegrapher.....	B. Grant Taylor.....	648	Jan. 1, 1894
Apothecary .....	Willis S. Rich .....	624	Oct. 1, 1894
Chief Engineer.....	Charles L. Rowley .....	1,320	Sept. 1, 1869
Assistant Engineer.....	Richard K. Roach.....	720	Aug. 23, 1887
do .....	John M. Dickson.....	600	Sept. 10, 1890
do .....	Frank Seigfried.....	480	.....
do .....	Marcus M. Andrus .....	480	Nov. 1, 1881
do .....	William H. Rich ..	480	Feb. 1, 1892
Electrician .....	John K. Williams .....	900	Sept. 1, 1887
Assistant Electrician .....	Dennis McCarthy.....	720	Aug. 1, 1894
do .....	Jeremiah W. Black .....	600	Sept. 1, 1887
Locomotive Engineer.....	William S. Pool .....	540	Feb. 1, 1878

## Matteawan State Hospital.

Superintendent .....	H. E. Allison, M. D.....	4,000	July 1, 1889
First Assistant Physician.....	Richard R. Daly, M. D.....	1,500	Apr. 1, 1894
Junior Physician.....	Edgar J. Spratling, M. D...	800	do 5, 1895



## SCHEDULE B — (Continued).

## Matteawan State Hospital — (Continued).

Title of position.	NAME.	Salary.	Date of appointment.
Bookkeeper .....	Levi N. Beebe .....	\$540	Feb. 13, 1895
Steward .....	James F. Howell .....	1,000	Apr. 1, 1889
Stenographer .....	Mary K. Lynch .....	456	Oct. 10, 1892
Apothecary .....	H. E. Everett .....	468	Feb. 1, 1893
Electrician .....	A. H. Dalzell .....	760	do 21, 1895
Engineer .....	John W. Hall .....	876	Sept. 8, 1892

## Rome State Custodial Asylum.

Superintendent .....	John F. Fitzgerald, M. D. .	4,000	Mar. 15, 1894
Junior Physician .....	Charles Bernstein, M. D. .	1,200	.....
Steward .....	James T. Stone .....	1,200	Apr. 1, 1895
Stenographer .....	Mary B. Ferris .....	600	Dec. 2, 1895

## Craig Colony.

Superintendent .....	William P. Spratling, M. D. .	4,000	Nov. 15, 1894
Junior Physician .....	Leon P. Clark, M. D. ....	1,200	Dec. 15, 1895
Steward .....	John L. Scott .....	1,000	July 15, 1895
Matron .....	Elizabeth D. Holt .....	500	Dec. 16, 1895
Bookkeeper .....	Charles J. Flanagan .....	600	Sept. 6, 1895
Stenographer .....	Florence A. Olmstead .....	360	Aug. 26, 1895
Engineer and Dynamo Tender .....	Jesse F. Miller .....	900	Dec. 18, 1895

## State Industrial School, Rochester.

Storekeeper .....	Thomas J. Curtin .....	900	Sept. 1, 1889
Assistant Department of Discipline ..	Mary E. Walsh .....	1,000	Feb. 1, 1892
Assistant Department of Mental and Manual Instruction .....	Nellie M. Shattuck .....	780	do 1, 1894
Clerk Executive Department .....	Charles S. Foote .....	540	Mar. 1, 1894
Estimate Clerk .....	Minnie I. Sherman .....	300	Dec. 24, 1894
Bookkeeper .....	Emma Sontag .....	360	Aug. 26, 1895
Stenographer .....	Lucy B. Sornborger .....	420	—, 1894
Teacher .....	Luella Parmelee .....	550	Aug. 17, 1892
do .....	Jennie McAuliff .....	500	May 18, 1891
do .....	Anna M. Hollenbeck .....	500	Sept. 1, 1863
do .....	Mrs. J. E. Brown .....	450	July 1, 1890
do .....	Belle C. Larmon .....	450	Apr. 29, 1891
do .....	Getta V. Clackner .....	450	Sept. 1, 1886
do .....	Gertrude Wilson .....	450	Apr. 20, 1891
do .....	Isabelle G. Gibbs .....	500	Nov. 10, 1890
do .....	Edith V. Sharpe .....	600	do 19, 1894
do .....	Frances H. Decker .....	780	Aug. 28, 1895
do .....	Susan L. Love .....	420	do 28, 1895
do .....	Jennie E. Bidleman .....	420	do 28, 1895
Teacher (Provisional) .....	Irena Campbell .....	400	Sept. 1, 1895
do do .....	Mary A. O'Connor .....	400	do 1, 1895
do do .....	Harriet Hutchins .....	350	do 19, 1895
Teacher .....	Helen Brace .....	500	Nov. 1, 1883
do .....	Mary A. Green .....	450	Sept. 1, 1892
do .....	Nellie E. Hayner .....	450	do 1, 1892
do .....	Elizabeth Niven .....	450	Nov. 24, 1890
do .....	Edith Stevens .....	450	Sept. 1, 1893
do .....	Celia M. Yawman .....	450	do 1, 1893
do .....	Laura Wilson .....	450	Dec. 18, 1894
do .....	Lizzie L. Nelson .....	450	Nov. 1, 1876
do .....	Mrs. T. C. Stone .....	500	Sept. 1, 1892
do .....	Lovina Cox .....	450	Feb. 20, 1893
do .....	Lizzie Purcell .....	450	Mar. 1, 1894
do .....	Lizzie Howell .....	450	Sept. 1, 1893
do .....	Gertrude Cooley .....	350	do 1, 1893
do .....	Julia C. Gainard .....	350	do 1, 1894
do .....	Harriet M. Dunham .....	350	do 25, 1893
do .....	E. Mabel Powers .....	350	do 1, 1894
Instructor Machine Shop .....	George T. Lockman .....	939	June 14, 1889
Instructor Printing .....	Egbert Hoekstra .....	900	Sept. 1, 1890
Instructor Steam and Gas Fitting .....	Edward Crane .....	900	May 28, 1891

## SCHEDULE B — (Continued).

## State Industrial School, Rochester — (Continued).

Title of position.	NAME.	Salary.	Date of appointment.
Instructor Tailoring (Provisional) ....	C. J. Ritchie.....	\$840	Oct. 7, 1895
Instructor Carpentry . . . . .	Henry J. Van Dyne .....	780	Apr. 1, 1889
Assistant Instructor Carpentry (Provisional).....	Nicholas Hanna.....	540	Oct. 17, 1895
Assistant Instructor Carpentry (Provisional) .....	Oliver Lock .....	540	do 15, 1895
Instructor Blacksmithing .....	Michael Shay.....	780	do 1, 1889
Instructor Foundry.....	John C. Whiting .....	780	do 7, 1890
Instructor Modeling and Wood Carving ....	Mrs. A. G. Knapp'.....	780	Nov. 1, 1891
Instructor Shoemaking.....	William Toms.....	780	Oct. 1, 1889
Instructor Painting.....	Charles A. Dutcher.....	720	Apr. 1, 1890
Instructor Bricklaying .....	Charles F. Guenthner.....	720	Oct. 1, 1889
Instructor Electrical Construction ...	John T. Flannigan .....	720	Feb. 1, 1893
do do .....	Joseph T. Freeman .....	720	Aug. 26, 1893
Instructor Laundering.....	William C. Masten.....	660	Dec. 8, 1892
do .....	Mrs. Nellie La Duke.....	300	Feb. 1, 1893
Instructor Care and Firing Steam Boilers .....	Thomas P. Kearns .....	660	Sept. 21, 1895
Instructor Care and Firing Steam Boilers .....	W. F. Sullivan.....	660	Nov. 1, 1895
Instructor Floral Culture.....	James R. Craib .....	600	Apr. 17, 1891
Instructor Baking .....	Mary A. Stewart .....	540	July 16, 1894
do .....	Eugene Jelensperber .....	780	Jan. 11, 1895
Instructor Cooking.....	Alberta Thomas.....	650	Sept. 1, 1893
Instructor Dressmaking .....	Ella A. Kirk.....	540	Nov. 1, 1895
Instructor Upholstering .....	James Menlentyke.....	540	Dec. 1, 1895
Band Instructor.....	Frederick B. Remington ...	600	Mar. 1, 1895
Military Instructor.....	Henry Catley .....	1,200	June 17, 1895

## House of Refuge for Women, Hudson.

Bookkeeper .....	Elizabeth Herriman .....	600	Dec. 1, 1886
Teacher .....	Grace H. S. Holsapple.....	540	May 1, 1893
do .....	Julia E. Barry .....	540	Mar. 1, 1895

## House of Refuge for Women, Albion.

Engineer .....	Lewis Starkweather.....	720	Nov. 1, 1893
Assistant Superintendent .....	Alice Curtin.....	600	Oct. 3, 1895

## Thomas Orphan Asylum, Versailles.

Superintendent .....	George I. Lincoln .....	1,200	Apr. 8, 1895
Clerk .....	Ward J. Wilber .....	300	June 4, 1893
Teacher .....	Nettie Howard.....	300	Sept. 1, 1895
do .....	Ira H. Vail .....	500	do 19, 1895
do .....	Clara Vedder .....	300	do 19, 1895
do .....	Laura E. Fairchild.....	240	Nov. 5, 1895
Engineer ...	Fred Russell.....	500	Apr. 24, 1893

## Institution for Feeble-Minded Children, Syracuse.

Clerk .....	W. J. Hallworth .....	600	Apr. 27, 1880
Secretary .....	Bessie C. Carson .....	240	Aug. 1, 1889
Engineer .....	Antonio W. Losky .....	600	Apr. 8, 1892
Teacher .....	Sarah P. Young .....	400	1852
do .....	Carrie P. Sheldon.....	400	Sept. 25, 1889
do .....	M. Elizabeth Cook.....	350	Mar. 4, 1863
do .....	Olive M. Sawtelle.....	350	Oct. 1, 1877
do .....	Mary F. Cozzens .....	300	do 1, 1879
do .....	Nellie B. Stevenson .....	300	Nov. 8, 1886
do .....	Lottie M. Howe .....	300	May 1, 1886
do .....	Margaret H. Ney.....	300	June 7, 1893
do .....	Jessie K. Symonds.....	250	Oct. 1, 1894
do .....	Sarah C. Deuel .....	250	Apr. 4, 1895
do .....	Retta Patterson.....	250	Sept 15, 1895



## SCHEDULE B — (Continued).

## Soldiers and Sailors' Home, Bath.

Title of position.	NAME.	Salary.	Date of appointment.
Cashier.....	William E. Howell.....	\$1,200	.....
Pharmacist (Provisional).....	James S. Geen.....	600	July 13, 1895

## Custodial Asylum for Women, Newark.

Teacher.....	Alice Burnett.....	300	Sept. 21, 1893
do .....	D. O. Tucker.....	216	Aug. 1, 1879
do .....	Emma Mentz.....	198	Mar. 1, 1887
Stenographer and Bookkeeper.....	Belle R. Norton.....	360	Nov. 22, 1894
Engineer.....	D. J. Rehklan.....	720	Sept. 1, 1891

## Institution for the Blind, Batavia.

Accountant.....	Frank Jameson.....	1,200	Feb. 11, 1878
Teacher.....	Humphrey P. Maddock....	480	Oct. 1, 1892
do .....	Sara Crehan.....	400	Sept. 1, 1893
do .....	Horace K. Smith.....	500	Oct. 1, 1881
do .....	Charlotte Weed.....	400	Nov. 1, 1890
do .....	Mary C. McGee.....	400	Sept. 1, 1892
do .....	Cornelia Phelan.....	400	Sept. 1, 1890
do .....	Luella Coffin.....	500	Sept. 1, 1894
do .....	Sara Whalen.....	500	Sept. 1, 1889
do .....	George F. Ogden.....	800	Sept. 1, 1888
do .....	Grace E. Bartlett.....	400	Jan. 1, 1894
do .....	Angeline Cutter.....	300	Sept. 1, 1873
Engineer.....	Thomas Jordan.....	540	Dec. 1, 1868
Assistant Engineer.....	James Many.....	480	Nov. 1, 1890

## Department of Board of Claims.

Deputy Clerk.....	James E. Kirk.....	2,500	Mar. 20, 1888
Stenographer.....	Thomas Watts.....	2,500	May 15, 1888
Marshal.....	John J. Bannigan.....	1,200	June 15, 1889

## Department of Board of Health.

Assistant Secretary.....	Thomas A. Stuart.....	2,500	July 21, 1893
Chief Clerk.....	Philip Hurd.....	1,200	May 1, 1895
Medical Expert.....	F. C. Curtis, M. D.....	1,800	July 11, 1883
Registrar.....	Thomas S. Jones.....	1,800	Dec. 1, 1886
do .....	Lucius F. Rolfe.....	1,800	Jan. 16, 1894
do .....	Thomas C. Lawler.....	1,800	Apr. 1, 1894
Index Clerk.....	Ida H. Lindsay.....	840	Dec. 29, 1893
do .....	Alice Kane.....	840	Dec. 29, 1893
Typewriter.....	Anna L. Mattimore.....	1,000	Dec. 1, 1886
Clerk.....	Charles E. Thompson.....	1,200	Mar. 20, 1894
Messenger.....	Fergus Halpin.....	1,000	Aug. 11, 1881
Collector in Laboratory.....	Theo. J. Bradley.....	720	Mar. 13, 1895

## Department of Bureau of Statistics of Labor.

Private Secretary.....	Grace P. Baker.....	1,000	Mar. 1, 1893
Clerk.....	William J. Stoops.....	1,500	Dec. 15, 1883
do .....	Kate Shaffer.....	1,200	Sept. 1, 1886
Statistician.....	Charles W. Davis.....	2,000	Mar. 1, 1893
do .....	F. A. Willard.....	2,000	Mar. 1, 1893
do .....	H. P. Witherstine.....	2,000	Mar. 1, 1893
Special Agent.....	Michael J. Regan.....	1,500	Apr. 1, 1889
do .....	George A. Stevens.....	1,500	June 4, 1888
do .....	Robert G. Parker.....	\$4 a day	Mar. 1, 1893
do .....	G. Frank Sweeney.....	4 a day	May 1, 1894
do .....	William O'Connor.....	4 a day	Aug. 28, 1889
do .....	Frank Ford.....	4 a day	Feb. 1, 1894
do .....	Charles G. Bloete.....	4 a day	June 28, 1889
do .....	Charles A. Earle.....	4 a day	Feb. 1, 1894



SCHEDULE B — (Continued).

Department of Civil Service Commission.

Title of position.	NAME.	Salary.	Date of appointment.
Chief Examiner.....	Charles S. Fowler.....	\$3,600	Jan. 1, 1896
Clerk.....	John C. Birdseye.....	1,700	June 1, 1884
Stenographer.....	Mary E. Dell.....	720	Apr. 23, 1895

Department of Fisheries, Game and Forest Commission.

Fish Culturist.....	A. N. Cheney.....	3,000	Dec. 31, 1895
Engineer and Superintendent.....	William F. Fox.....	2,000	May 7, 1895
Stenographer.....	Julia J. Fourqurean.....	900	Apr. 25, 1895
Foreman of Hatchery.....	H. E. Annin.....	\$2.50 a day	Sept. 4, 1894
do do.....	E. F. Boehm.....	2.50 a day	—, 1889
do do.....	E. L. Marks.....	2.50 a day	—, 1886
do do.....	Frank Redband.....	3.00 a day	—, —
do do.....	John G. Roberts.....	2.50 a day	—, 1890
do do.....	C. H. Walters.....	2.50 a day	—, —
do do.....	F. L. Ramsdell.....	2.50 a day	Sept. 4, 1894

Department of Commissioner of Agriculture.

Veterinarian.....	Michael Quigley.....	2,000	July 1, 1893
Chemist.....	E. J. Wheeler.....	1,440	Aug. 15, 1894
do.....	Samuel Lattimore.....	1,200	Dec. 1, 1886
do.....	W. E. McDuffie.....	1,200	Jan. 1, 1892
do.....	John A. Miller.....	1,200	Nov. 1, 1892
do.....	J. C. Wilson.....	600	June 10, 1893
Teacher.....	E. S. Wilson.....	1,260	May 30, 1884
Agent and proofreader.....	V. D. P. Lee.....	1,200	Aug. 29, 1894
Agent.....	George D. Babcock.....	900	June 1, 1894
do.....	James Boice.....	960	.....
do.....	M. Dugan.....	960	.....
do.....	P. H. Kelly.....	900	June 1, 1894
do.....	C. D. Leonard.....	960	June 1, 1894
do.....	B. B. McPherson.....	\$3 a day	.....
do.....	A. J. McSweeney.....	1,200	.....
do.....	W. T. Peaselee.....	720	.....
do.....	James H. Russell.....	900	Sept. 1, 1894
do.....	George B. Fellows.....	1,200	Aug. 21, 1884
do.....	George W. Price.....	960	Sept. 1, 1884
do.....	John J. Coughlin.....	1,200	June 1, 1889
do.....	Charles J. Morganstern.....	900	July 1, 1889
do.....	W. J. Corbett.....	960	do 1, 1889
do.....	John R. Earl.....	1,200	Feb. 1, 1893
do.....	Linn Babcock.....	1,200	May 10, 1893
do.....	George Babcock.....	960	June 1, 1893
do.....	John M. Hutchins.....	600	Jan. 1, 1894
do.....	W. W. Meeter.....	1,200	Aug. 22, 1884
do.....	Archibald D. Clark.....	1,200	Sept. 10, 1885
do.....	Simon Nussbaum.....	1,200	July 1, 1886
do.....	Samuel Abrams.....	1,200	June 19, 1889
do.....	George Bernhard.....	1,200	Sept. 10, 1889
do.....	Michael Galligan.....	900	June 1, 1886
do.....	R. H. Palmer.....	960	July 1, 1890
do.....	William B. Howard.....	900	Jan. 1, 1891
do.....	Charles S. Kellogg.....	900	Oct. 4, 1884
do.....	Grove Barnum.....	960	June 1, 1891
do.....	Charles Burke.....	1,200	do 1, 1891
do.....	Frank E. Geise.....	900	do 1, 1891
do.....	John T. Norton.....	1,200	Mar. 15, 1892
do.....	J. M. Quigley.....	900	Aug. 1, 1891
do.....	H. A. Retz.....	900	do 1, 1891
do.....	L. E. Scrafford.....	900	July 6, 1891
do.....	E. A. Ayres.....	5 a day	do 1, 1892
do.....	John H. Berry.....	3 a day	Aug. 24, 1892
do.....	Putnam C. Harp.....	960	do 1, 1892
do.....	Charles F. Nash.....	960	Sept. 1, 1892
do.....	Thomas C. DuBois.....	960	Mar. 4, 1893
do.....	John McGuire.....	600	Apr. 1, 1892
do.....	C. H. Allen.....	480	Jan. 1, 1894
do.....	Chas. B. Wakefield.....	480	June 26, 1895

SCHEDULE B — (Continued).

Department of Commissioner of Agriculture — (Continued).

Title of position.	NAME.	Salary.	Date of appointment.
Agent .....	Walter J. Bennett .....	\$900	June 26, 1895
do .....	William B. Reading .....	900	do 26, 1895
do .....	Nicholas Van Horn .....	900	July 15, 1895
Cheese Expert .....	W. W. Hall.....	\$5 a day	June 20, 1888
Cheese Instructor.....	M. T. Morgan.....	5 a day	Sept. 17, 1889
Vinegar Expert.....	Hoffman Ruger .....	900	Aug. 1, 1889
do .....	A. S. Delano.....	1,200	Feb. 1, 1891

Department of Mediation and Arbitration.

Clerk.....	Frederick N. Lewis .....	1,500	Mar. 24, 1894
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Department of Factory Inspector.

Deputy .....	John Franey .....	2,500	May 18, 1886
do .....	John Jordan.....	1,200	June 15, 1887
do .....	Johnson Peers .....	1,200	do 15, 1887
do .....	Francis U. Coe.....	1,200	do 15, 1887
do .....	Leonard Drake.....	1,200	Nov. 9, 1891
do .....	Dennis C. Sullivan .....	1,200	Oct. 1, 1892
do .....	Margaret Finn .....	1,200	July 1, 1890
do .....	Eliza A. Carroll .	1,200	do 1, 1890
do .....	Sophie Rauch.....	1,200	Dec. 14, 1891
do .....	Louise Cuthell .....	1,200	do 29, 1891
do .....	Kate Hall .....	1,200	Nov. 16, 1892
do .....	Ella Nagle.....	1,200	Mar. 23, 1893
do .....	Annie Campbell.....	1,200	do 28, 1893
do .....	Barnard McCarthy .....	1,200	do 28, 1893
do .....	Thomas Gunn.....	1,200	do 28, 1893
do .....	Fred Mulkin .....	1,200	Apr. 1, 1893
do .....	James Cunningham.....	1,200	Sept. 1, 1893
do .....	John J. White .....	1,200	May 1, 1894
do .....	James F. Devine.....	1,200	Nov. 13, 1894
do .....	John W. Marsellus.....	1,200	Feb. 1, 1895
do .....	Frank S. Nash .....	1,200	do 1, 1895
do .....	Joseph O'Rourke .....	1,200	May 1, 1895
do .....	James Davie .....	1,200	do 1, 1895
do .....	Melvil H. Taylor .....	1,200	do 15, 1895
do .....	Adam Bader .....	1,200	July 1, 1895
do .....	Dennis J. Hanlon .....	1,200	do 1, 1895
do .....	Angie M. Brown.....	1,200	do 1, 1895
do .....	Charles H. Roberts .....	1,200	do 1, 1895
do .....	Kate L. Kane .....	1,200	do 11, 1895
do .....	A. Richard King .....	1,200	Nov. 1, 1895
Clerk .....	Jessie Sweeney .....	1,020	Jan. 9, 1894
Collector of Statistics.....	Louis Pflugner .....	1,200	Sept. 4, 1894
Expert Examiner.....	Electa R. Lockwood .....	1,500	Jan. 15, 1894
Assistant Expert Examiner .....	George A. McKay ..	1,500	May 1, 1894
Messenger .....	Ambrose J. O'Neill.....	900	Apr. 3, 1894

Department of Adjutant-General.

Chief Clerk .....	Edward B. Ten Broeck ....	1,800	Mar. 1, 1875
Clerk .....	Frank A. McNeeley.....	1,500	July 27, 1891
do .....	Horatio P. Stacpole.....	1,500	Jan. 1, 1880
do .....	Gilbert C. Rice.....	1,500	Aug. 1, 1883
do .....	Martin L. Willard.....	1,350	Jan. 9, 1893
Messenger .....	Patrick H. Dailey.....	1,000	Aug. 1, 1883

Department of Inspector-General.

Major .....	A. W. Larose.....	.....	Sept. 20, 1892
do .....	Thomas L. Miller .....	.....	July 10, 1893
Chief Clerk .....	G. James Greene.....	1,350	Jan. 1, 1893



## SCHEDULE B — (Continued).

## Department of Chief of Ordnance.

Title of position.	NAME.	Salary.	Date of appointment.
Assistant in Department .....	Alex. Barrie, Jr. ....	\$1,320	June 17, 1892
do do .....	Phillip H. Briggs. ....	\$5 a day	Mar. 25, 1889
Clerk .....	John Rice. ....	1,260	Jan. 1, 1883

## Department of Rifle Practice.

Clerk .....	N. B. Thurston .....	1,500	Aug. 17, 1885
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## Agricultural Experiment Station, Geneva.

Chief Clerk .....	F. E. Newton .....	1,000	Jan. 1, 1884
Chemist .....	L. L. Van Slyke .....	2,500	July 14, 1890
Assistant Chemist .....	A. L. Knisely .....	960	Sept. 19, 1891
do .....	A. D. Cook .....	720	Oct. 1, 1892
do .....	H. H. Seely .....	480	Sept. 1, 1894
do .....	W. B. Cady .....	720	July 15, 1892
do .....	C. G. Jenter .....	960	Sept. 9, 1891
do .....	W. H. Andrews .....	720	Oct. 1, 1895
do .....	J. A. Le Clerc .....	720	Nov. 12, 1895
Horticulturist .....	S. A. Beach .....	1,500	do 1, 1891
Assistant Horticulturist .....	W. Paddock .....	600	do 1, 1893
Agriculturist .....	G. W. Churchill .....	720	April 1, 1884
Entomologist .....	Victor H. Lowe .....	960	July 20, 1894
do .....	F. A. Sirrine .....	1,200	do 20, 1894

## Commissioner of the New Capitol.

Clerk .....	John J. Grogan .....	40c. an h'r	May 19, 1890
do .....	Charles Winne .....	30c. an h'r	Apr. 16, 1892
do .....	William H. Burhans .....	\$1.50 a day	May 24, 1890
Stenographer and Typewriter .....	Mrs. Margaret E. Templeton .....	\$1,200	June 11, 1895
Typewriter .....	Robert T. Fleming .....	1.50 a day	May 24, 1890
Messenger .....	A. V. O. DeGraff .....	25c. an h'r	do 17, 1890
Chief Draughtsman .....	C. M. Underwood .....	5.00 a day	Sept. 5, 1887
Draughtsman .....	C. L. Daggett .....	4.50 a day	Nov. 8, 1888
do .....	John F. Gunson .....	2.50 a day	Oct. 2, 1893
do .....	J. J. Cosgrave .....	2.00 a day	do 25, 1888
do .....	D. F. Dunn .....	2.00 a day	do 7, 1889
do .....	Louis Hart .....	1.25 a day	Apr. 30, 1892
do .....	Walter Van Gursling .....	5.00 a week	Jan. 30, 1894
do .....	William T. Wooley .....	3.00 a week	Dec. 10, 1892
do .....	George C. Van Buren .....	2.50 a day	July 19, 1895
do .....	O. V. Clark .....	3.00 a day	Aug. 7, 1895
do .....	Edward Ahrens .....	4.50 a day	do 7, 1895
do .....	Charles A. Sussdorf .....	4.50 a day	do 8, 1895
do .....	Gilbert H. Anderson .....	4.00 a day	do 20, 1895
Assistant to Draughtsman .....	John H. Mee .....	4.00 a week	do 31, 1895
do do .....	William A. Keller .....	4.00 a week	do 31, 1895
Timekeeper .....	John S. Hutman .....	40c. an h'r	Oct. 4, 1895
Errand Boy .....	William A. Bennett .....	4.00 a week	July 18, 1891
Temporary Expert Mechanical and Steam Heating Engineer .....	William J. Norwood .....	10.00 a day	June 28, 1895
Temporary Expert Electrical Engineer .....	Frank L. Frost .....	5.00 a day	do 28, 1895
Inspector .....	O. H. Perry .....	5.00 a day	do 26, 1888
do .....	James B. Cosgrave .....	5.00 a day	do 1, 1893
Clerk Stonecutting Department .....	Frank M. Wooley .....	3.50 a day	do 1, 1880

## Commissioners of the State Reservation at Niagara.

Superintendent .....	Thomas V. Welch .....	2,000	July 15, 1885
Clerk .....	George F. Athearn .....	900	do 15, 1885
Policeman .....	Henry Highland .....	900	do 15, 1885
do .....	Rankin McMullin .....	900	do 15, 1885
do .....	George W. Sims .....	900	do 15, 1885
do .....	J. J. Anthony .....	900	do 15, 1885



THIRTEENTH REPORT OF THE  
SCHEDULE B — (Continued).

Ccmmissioners of the State Reservation at Niagara — (Continued).

Title of position.	NAME.	Salary.	Date of appointment.
Gatekeeper .....	H. I. Birch .....	\$900	July 26, 1892
Wheelman .....	John McCloy .....	900	do 15, 1885
Ticketman .....	Edmund G. Lane .....	900	June 1, 1888
Guard .....	Otto Murphy .....	600	do 1, 1895
Gatekeeper .....	Edward Welch .....	900	July 20, 1885

Department of Statutory Revision Commission.

Law Clerk .....	Robert C. Cumming .....	1,800	Apr. 1, 1890
do .....	M. L. York .....	1,500	Feb. 1, 1893
do .....	Frank B. Gilbert .....	1,800	Mar. 28, 1895
do .....	Owen L. Potter .....	1,800	do 28, 1895
Stenographer .....	Carrie M. Clancy .....	600	Dec. 16, 1894
Proof Reader .....	William O'Connor .....	1,200	Aug. 1, 1894
Typewriter and Proof Reader .....	Elizabeth A. Carroll .....	600	do 1, 1892
do do .....	Grace Dorn .....	600	Sept. 15, 1892
do do .....	Kittie A. Lewis .....	540	Oct. 1, 1892

Department of Miscellaneous Reporter.

Assistant Reporter .....	W. S. Gibbons .....	1,200	Jan. 1, 1894
do .....	Edwin G. Day .....	1,200	Feb. 1, 1893

Department of Public Buildings.

Assistant Superintendent .....	A. T. Hitchcock .....	2,500	June 1, 1883
Chief Engineer .....	William J. Norwood .....	2,500	do 1, 1883
Clerk .....	C. M. Griswold .....	2,000	Oct. 1, 1887
Messenger .....	Arthur Grant .....	1,500	Jan. 15, 1893
Storekeeper .....	C. F. R. Coe .....	1,200	May 1, 1892
As-istant Storekeeper .....	A. S. Howell .....	960	June 1, 1891
Engineer .....	William Finnigen .....	1,080	Oct. 1, 1893
do .....	C. W. Fowler .....	1,200	June 1, 1883
do .....	George A. Whish, Jr .....	1,080	Jan. 1, 1894
do .....	Thomas P. Kearnes .....	1,080	Nov. 1, 1894
Chief Fireman .....	Charles Scannell .....	1,080	June 1, 1883
Fireman .....	James Paterson .....	1,080	July 1, 1895
Plumber .....	James Coulter .....	\$3.50 a day	Feb. 1, 1895
Orderly .....	H. Fairchild .....	720	June 1, 1883
do .....	Charles Alexander .....	720	Mar. 1, 1892
do .....	Theodore Brink .....	720	do 1, 1895
do .....	James Butler .....	720	do 1, 1891
do .....	Joseph Bruese .....	720	Sept. 1, 1894
do .....	L. Cashdollar .....	720	do 1, 1891
do .....	J. B. Christian .....	720	Mar. 1, 1894
do .....	A. Cooper .....	720	do 1, 1895
do .....	Richard J. Colgan .....	720	do 1, 1895
do .....	Nicholas Dowling .....	720	May 1, 1893
do .....	S. A. Eshbaugh .....	720	Mar. 1, 1895
do .....	J. W. Fawcett .....	720	Feb. 1, 1895
do .....	D. Fitzgerald .....	720	Dec. 1, 1886
do .....	Wm. Flaustburg .....	720	Feb. 1, 1895
do .....	George B. Fordham .....	720	Sept. 1, 1891
do .....	A. B. Fox .....	720	Mar. 1, 1895
do .....	Otis Griffin .....	720	do 1, 1895
do .....	H. B. Hogan .....	720	do 1, 1895
do .....	George W. Hawes .....	720	do 1, 1895
do .....	J. F. Humbert .....	720	do 1, 1895
do .....	Joseph Irvine .....	720	Feb. 1, 1895
do .....	O. B. Ireland .....	720	Mar. 1, 1895
do .....	John J. Jones .....	720	do 1, 1895
do .....	John W. Kiernan .....	720	do 1, 1895
do .....	Daniel Lynch .....	720	do 1, 1895
do .....	Robert E. Maxwell .....	720	do 1, 1895
do .....	William Mix .....	720	do 1, 1895
do .....	Chris Eitleman .....	720	do 1, 1895
do .....	Thomas Morrissey .....	720	Oct. 1, 1890

## SCHEDULE B — (Continued).

## Department of Public Buildings — (Continued).

Title of position.	NAME.	Salary.	Date of appointment.
Orderly .....	Philip Ostrander .....	\$720	Mar. 1, 1895
do .....	Edward Pedlow .....	720	Oct. 1, 1892
do .....	B. G. Priest .....	720	Jan. 1, 1892
do .....	M. A. Pruyn .....	720	Feb. 1, 1895
do .....	C. G. Rose .....	720	Mar. 1, 1895
do .....	Alex Stewart .....	720	Feb. 1, 1894
do .....	S. G. Toombs .....	720	Jan. 1, 1894
do .....	W. A. Townsend .....	720	do 1, 1895
do .....	J. C. Upton .....	720	Nov. 1, 1886
do .....	John Walsh .....	720	Oct. 1, 1887
do .....	G. L. Weeks .....	720	Feb. 1, 1895
do .....	Fred Wilder .....	720	Mar. 1, 1895
do .....	Augustus Whitman .....	720	do 1, 1895
do .....	S. M. Simpkins .....	720	do 1, 1895
do .....	Louis Burges .....	720	do 1, 1895
do .....	Fred Bernard .....	720	do 1, 1895
do .....	M. J. Dulin .....	720	do 1, 1895
do .....	H. E. Bolles .....	720	June 1, 1893
do .....	J. C. Boynton .....	720	Mar. 1, 1895
do .....	C. M. Coal .....	720	Feb. 1, 1895
do .....	H. R. Darling .....	720	Sept. 1, 1893
do .....	John O'Connell, Jr. ....	720	Dec. 1, 1893
do .....	Myer Levy .....	720	Feb. 1, 1892
do .....	Byron A. Johnson .....	720	Mar. 1, 1895
do .....	John H. Francis .....	720	do 1, 1895
do .....	Edward Harrington .....	720	Feb. 1, 1887
do .....	Alfred B. Hadley .....	720	Mar. 1, 1895
Watchman .....	Thomas Burns .....	900	Jan. 1, 1886
do .....	Charles Eppenstein .....	900	Feb. 1, 1886
do .....	Sylvester Dearstyne .....	900	do 1, 1895
do .....	J. Kastenbaum .....	900	Mar. 1, 1895
do .....	Matthew McMahon .....	900	do 1, 1895
do .....	Albert Reed .....	900	Jan. 1, 1885
do .....	John Rourke .....	900	Feb. 1, 1885
do .....	John W. Mullens .....	900	April 11, 1885

## Department of Quarantine Commission.

Superintendent .....	Henry L. Arnold .....	2,500	Sept. 6, 1895
do .....	Frederick G. Milligan .....	1,500	do 6, 1895
do .....	David H. Starin .....	1,200	July 10, 1888
Engineer .....	Thomas Law .....	1,040	Sept. 6, 1895
do .....	James S. Scanlon .....	1,148	do 26, 1895
do .....	Timothy McLoughlin .....	1,050	Apr. 23, 1891
Captain .....	Thomas P. Coffey .....	1,200	Jan. 26, 1892

## Department Health Officer, Port of New York.

Bacteriologist .....	P. H. Buxton .....	1,200	Aug. 1, 1893
Telegrapher .....	Edwin M. Skinner .....	1,200	Oct. 8, 1892
Clerk .....	William Sequine .....	900	May 8, 1876
Chemist .....	Patrick O'Connell .....	960	Aug. 12, 1893
Interpreter .....	Victor de Scheliha .....	600	Oct. 18, 1893
Engineer .....	John R. Gibbs .....	1,080	Apr. 10, 1893
Messenger .....	Morris J. Doyle .....	900	Sept. 15, 1892
Boat Captain .....	Edward Finerty .....	1,200	Mar. 1, 1892

## Department of Commissioners of Electrical Subways, Brooklyn.

Inspector .....	Joseph M. Quigley .....	1,200	May 27, 1892
do .....	Lawrence Van Wyck .....	1,200	do 27, 1892



## SCHEDULE B — (Continued).

## Department of Board of Excise, New York City.

Title of position.	NAME.	Salary.	Date of appointment.
Assistant Clerk.....	James N. Morris.....	\$2,000	July 8, 1889
Law Clerk.....	Peter B. Brady.....	2,500	do 11, 1889
Engrossing Clerk.....	David Rothchild.....	2,000	Jan. 25, 1888
Application Clerk.....	Jacob A. Worthheimer.....	1,500	Oct. 21, 1889
do.....	Thomas McManus.....	1,200	Jan. 5, 1894
Doorkeeper.....	James Hayes.....	1,080	Oct. 3, 1899
Chief Inspector.....	Thomas F. Duncan.....	2,000	June 1, 1889
Protest and Complaint Inspector.....	George H. Gale.....	2,000	Oct. 8, 1886
Bond Inspector.....	Richard C. Baker.....	2,000	Mar. 7, 1895
General Inspector.....	David Hoyle.....	1,500	Feb. 1, 1888
do.....	Lansing Pruyn.....	1,500	Dec. 15, 1886
do.....	Isaac Rice.....	1,500	do 22, 1891
Special Inspector.....	Robert T. Clayton.....	1,500	Apr. 3, 1895
do.....	Oscar Dryer.....	1,500	do 9, 1895
do.....	Michael W. Evers.....	1,500	Mar. 13, 1895
do.....	Charles W. Gildersleeve.....	1,500	do 1, 1887
do.....	Edward F. Mallahan.....	1,500	Jan. 28, 1889
do.....	Louis Mand.....	1,500	Feb. 1, 1888
do.....	Miller Mather.....	1,500	July 17, 1889
Inspector.....	Thomas Carroll.....	1,200	May 13, 1889
do.....	William J. Connolly.....	1,200	Dec. 1, 1886
do.....	James Delaney.....	1,200	July 1, 1889
do.....	Meyer Elsas.....	1,200	June 22, 1889
do.....	John R. Farley.....	1,200	Nov. 13, 1891
do.....	Henry Hughes.....	1,200	Sept. 25, 1893
do.....	Patrick Moynahan.....	1,200	Nov. 21, 1889
do.....	Patrick J. Paul.....	1,200	Sept. 1, 1893
do.....	Isaac B. Smith.....	1,200	Sept. 1, 1893
do.....	H. B. Von Tronk.....	1,200	Jan. 21, 1889
do.....	James J. Welsh.....	1,200	do 21, 1889
do.....	Wesley S. Yard.....	1,200	Feb. 1, 1889
do.....	Thomas J. Lanney.....	1,200	Nov. 1, 1894
do.....	Thomas Ferris.....	1,200	Feb. 12, 1895
do.....	Joseph Finn.....	1,200	do 11, 1895
do.....	Thomas J. Wilkes.....	1,200	Jan. 19, 1895
do.....	Michael Donohue.....	1,200	Feb. 11, 1895
do.....	Thomas M. Canton.....	1,200	do 9, 1895
do.....	Edward V. Brown.....	1,200	Mar. 6, 1895
do.....	Michael F. Shelly.....	1,200	Sept 1, 1895
do.....	Chauncey T. Quintard.....	1,200	do 1, 1895
do.....	Robert B. McCully.....	1,200	do 1, 1895
do.....	Wm. A. Stoutenburgh.....	1,200	do 1, 1895
do.....	Wm. Fletcher.....	1,200	do 1, 1895
do.....	Patrick Sause.....	1,200	do 1, 1895
do.....	C. H. Hackert.....	1,200	do 4, 1895
do.....	Emmet Morris.....	1,200	do 4, 1895
do.....	Thomas W. Forster.....	1,200	do 7, 1895
do.....	Arthur T. Reilly.....	1,200	Oct. 8, 1895
Bond Inspector.....	Richard C. Baker.....	2,000	Mar. 7, 1895
Inspector.....	James A. Curley.....	1,200	May 1, 1895
do.....	Chas. Franklin.....	1,200	Apr. 1, 1895
do.....	William T. Glover.....	1,200	do 23, 1895
do.....	Thomas F. Graham.....	1,200	Mar. 26, 1895
do.....	Philip Hirschkind.....	1,200	Apr. 10, 1893
do.....	John W. Hunt.....	1,200	May 1, 1895
do.....	Joseph Kahn.....	1,200	Apr. 23, 1895
do.....	Simon Kaufman.....	1,200	do 23, 1895
do.....	Herman B. McAllister.....	1,200	May 17, 1895
do.....	William J. McEwen.....	1,200	Apr. 23, 1895
do.....	John T. McNeil.....	1,200	do 23, 1895
do.....	Terrence F. McGowan.....	1,200	do 10, 1895
do.....	Joseph R. Maddox.....	1,200	do 10, 1895
do.....	William Marion.....	1,200	May 1, 1895
do.....	Patrick J. Rinn.....	1,200	Apr. 8, 1895
do.....	Hugh S. Quinn.....	1,200	May 1, 1895
do.....	Peter Schultz.....	1,200	Apr 6, 1895
do.....	Philip F. Smith.....	1,200	Mar. 26, 1895
do.....	Julius Steinberg.....	1,200	do 26, 1895
Special Aid.....	Thomas H. Healey.....	1,200	May 9, 1895
do.....	Philip Seligman.....	1,200	do 13, 1895



## SCHEDULE B — (Continued).

## State Land Survey.

Title of position.	NAME.	Salary.	Date of appointment.
Clerk .....	Mills Blake .....	\$1,200	June 5, 1895.
do .....	Edwin A. Jones .....	1,360	do 17, 1895
Chainman .....	George Kirk, Jr. ....	468	Oct. 9, 1895

## Department of Public Works.

Clerk .....	Daniel A. Cooney .....	1,900	May 1, 1883
do .....	Thomas A. Galvin .....	1,400	June 23, 1890
do .....	Edward L. Walsh .....	2,200	Feb. 1, 1895
do .....	Terrence I. Hardin .....	1,700	Apr. 30, 1892
do .....	Charles E. Hannan .....	1,300	July 6, 1893
do .....	W. M. Mead .....	2,200	Apr. 1, 1895
do .....	R. H. Hunter .....	2,000	do 13, 1895
do .....	C. D. Wing .....	1,200	do 13, 1895
Collector of Canal Statistics .....	W. M. Hawkins .....	1,800	Mar. 22, 1895
General Inspector .....	J. Nelson Tubbs .....	\$10 a day	Feb. 26, 1895
Inspector .....	W. B. Potter .....	4 a day	do 1, 1895
do .....	George Garrison .....	4 a day	do 21, 1895
do .....	William Harris .....	4 a day	do 27, 1895
do .....	John Tobin .....	4 a day	Mar. 5, 1895
do .....	George H. Tucker .....	4 a day	do 5, 1895
do .....	Anthony Walton .....	4 a day	do 7, 1895
do .....	Thomas Kelly .....	4 a day	do 18, 1895
do .....	Martin Crahan .....	4 a day	do 11, 1895
do .....	B. I. Crooker .....	4 a day	do 14, 1895
do .....	Carl T. Seibel .....	4 a day	do 20, 1895
do .....	Bartley Manion .....	4 a day	do 19, 1895
do .....	George O. Souci .....	4 a day	do 20, 1895
Clerk .....	Omer Leyns .....	1,200	Feb. 26, 1895
Stenographer .....	Gertrude Hurtbut .....	300	Apr. 1, 1895

## Elmira Reformatory.

Technological Instructor .....	E. E. Clark .....	1,350	July 18, 1892
Physical Instructor .....	J. L. Berthold .....	1,000	June 19, 1888
Upholster Instructor .....	A. Van Hoeffen .....	720	Mar. 19, 1890
Cooking Instructor (Provisional) .....	Emil Schmidt .....	1,200	Dec. 1, 1895
Laundry Instructor .....	C. E. Salisbury .....	900	Feb. 28, 1894
Blacksmith Instructor .....	Charles Struppeler .....	720	June 15, 1893
Shoemaking Instructor .....	J. P. McCanna .....	720	Mar. 3, 1886
Tinsmith Instructor .....	P. H. McCarthy .....	600	July 1, 1892
Painting Instructor .....	T. F. Foley .....	720	Mar. 16, 1891
Bookbinding Instructor .....	J. G. Friedlander .....	720	May 7, 1894
Printing Instructor .....	J. L. Johnson .....	600	Jan. 22, 1894
Patternmaking Instructor .....	L. Daignaux .....	780	Sept. 15, 1886
Moulding Instructor .....	J. L. Munn .....	600	Aug. 22, 1893
Masonry Instructor .....	David Shay .....	900	July 5, 1893
Tailoring Instructor .....	E. Jentz .....	720	Jan. 21, 1884
Drawing Instructor .....	Warren R. Valentine .....	600	do 3, 1895
Physician .....	George F. Rogan, M. D. ....	1,000	Feb. 15, 1895
Transfer Officer .....	H. B. Brockway .....	1,200	June 13, 1877
Clerk .....	H. F. Bush .....	1,000	Aug. 19, 1885
do .....	William H. Demorest .....	600	July 1, 1895
do .....	Thomas S. Robinson .....	600	do 1, 1895
do .....	John R. Robinson .....	600	do 1, 1895
Assistant Bookkeeper .....	F. P. Dolan .....	600	Oct. 6, 1894
do .....	H. S. Maher .....	600	do 6, 1894
do .....	E. Upton Lovejoy .....	600	do 30, 1894
Telegrapher .....	W. L. Sharp .....	456	June 6, 1893
Electrician .....	K. Cgnimura .....	1,000	Sept. 22, 1888
Engineer .....	H. C. Hanford .....	1,000	Jan. 1, 1878
Foreman .....	F. Phillips .....	1,500	Nov. 7, 1892
do .....	A. Bandorf .....	1,200	Oct. 3, 1887
do .....	J. G. Kerr .....	960	July 3, 1889
do .....	G. Weisleider .....	900	Jan. 5, 1888
do .....	W. H. Utter .....	900	Aug. 31, 1893
do .....	R. S. Wood .....	1,300	Oct. 20, 1892
Packer and Shipper .....	W. H. Christie .....	600	Feb. 5, 1894

## SCHEDULE B — (Continued).

## Elmira Reformatory — (Continued).

Title of position.	NAME.	Salary.	Date of appointment.
Keeper .....	P. McLaughlin .....	\$800	Feb. 1, 1888
do .....	S. D. Sample .....	1,000	Apr. 2, 1888
do .....	Thomas Murphy .....	600	Nov. 9, 1887
do .....	Arthur Decker .....	600	May 2, 1892
do .....	C. S. Beckwith .....	600	Dec. 1, 1895
do .....	Thomas McLaughlin .....	600	May 1, 1880
do .....	J. H. Gunderman .....	600	Dec. 1, 1895
do .....	M. H. Brown .....	600	Oct. 31, 1894
do .....	Joseph Haran .....	600	Dec. 1, 1895
Doorman .....	S. Shaljean .....	480	Sept. 28, 1887
do .....	Andrew Leffler .....	420	May 10, 1894
Guard .....	Frank C. Hill .....	360	Oct. 30, 1894
do .....	Arthur J. Quick .....	360	Nov. 1, 1894
do .....	William H. Simcoe .....	360	do 5, 1894
do .....	B. Spencer .....	480	July 24, 1876
do .....	F. A. Bowman .....	480	do 10, 1888
do .....	Patrick Mitchell .....	480	Mar. 24, 1893
do .....	J. W. Eggleston .....	480	May 8, 1893
do .....	W. H. Delaney .....	480	Sept. 4, 1893
do .....	E. E. Marlow .....	480	do 4, 1893
do .....	Samuel Manning .....	480	do 12, 1893
do .....	Dennis Burns .....	456	Mar. 11, 1893
do .....	B. W. Vosburgh .....	456	April 3, 1893
do .....	W. J. Bartlett .....	456	Jan. 30, 1893
do .....	J. L. Sullivan .....	456	Dec. 20, 1893
do .....	John Suffer .....	456	Sept. 18, 1894
do .....	William Prendergast .....	360	Mar. 16, 1894
do .....	C. E. Fox .....	360	May 7, 1894
do .....	C. E. Townsend .....	360	Aug. 1, 1894
do .....	J. J. Finnell .....	360	do 3, 1894
do .....	G. W. Brown .....	360	do 3, 1894
do .....	Thomas Maroney .....	360	do 22, 1894
do .....	A. M. Dalglish .....	360	Sept. 3, 1894
do .....	Thomas McInerny .....	360	do 3, 1894
do .....	E. F. Adams .....	360	do 3, 1894
do .....	Pearl T. Yaw .....	360	Oct. 24, 1894
do .....	Franklin H. White .....	360	Mar. 8, 1895
do .....	Robert H. Whyte .....	360	do 12, 1895
do .....	G. F. Walsh .....	360	do 20, 1895
do .....	W. H. Newman .....	360	April 8, 1895
do .....	John J. Ryan .....	360	May 16, 1895
do .....	Frank S. Hill .....	360	do 22, 1895
do .....	Thomas P. Ryan .....	360	do 28, 1895
do .....	Fred J. Palmer .....	360	July 6, 1895
do .....	Philip H. Russell .....	360	Aug. 20, 1895
do .....	Charles E. Whitney .....	360	do 20, 1895
do .....	Fred O. Priest .....	360	do 22, 1895
do .....	Francis B. Crowe .....	360	do 30, 1895
do .....	Stanton L. Minier .....	360	Sept. 2, 1895
do .....	Charles W. Hewitt .....	360	do 4, 1895
do .....	James P. Healey .....	360	do 6, 1895
do .....	E. D. Ridley .....	360	do 7, 1895
do .....	Robert M. Espie .....	360	Aug. 24, 1895
do .....	George H. Poyneer .....	360	Sept. 10, 1895
do .....	David Corey .....	360	do 25, 1895
do .....	Robert B. Wilkes .....	360	Oct. 11, 1895
do .....	James M. Mockler .....	360	do 19, 1895
do .....	Louis A. Paul .....	360	Nov. 1, 1895
do .....	F. G. Cunningham .....	360	do 1, 1895
do .....	James H. Reedy .....	360	do 6, 1895
do .....	James Riffe .....	360	do 28, 1895
do .....	P. D. Murphy .....	360	Dec. 18, 1895

## Auburn Prison.

Principal keeper .....	James C. Shaw .....	2,000	May 1, 1893
Storekeeper .....	Lyman S. Gibbs .....	1,200	Dec. 24, 1894
Hall keeper .....	M. J. Cunningham .....	1,200	July 10, 1893
Kitchen keeper .....	F. M. Burke .....	1,200	Mar. 29, 1889
Yard keeper .....	George Welts .....	1,200	Dec. 17, 1889



## SCHEDULE B — (Continued).

## Auburn Prison — (Continued).

Title of position.	NAME.	Salary.	Date of appointment.
Physician .....	Conant Sawyer, M. D .....	\$2,000	Aug. 9, 1888
Stenographer .....	John N. Ross .....	660	May 1, 1893
Industrial Clerk.....	F. F. Wheaton .....	1,200	do 1, 1893
Keeper .....	G. W. Allen .....	900	June 1, 1882
do .....	W. J. Baker .....	900	Oct. 1, 1888
do .....	C. S. Bills .....	900	May 8, 1893
do .....	John Crowley.....	900	July 13, 1892
do .....	H. R. Flannagan .....	900	Jan. 18, 1890
do .....	George Jenkins .....	900	do 16, 1872
do .....	E. V. Lathrop.....	900	Dec. 17, 1889
do .....	John Martin.....	900	June 18, 1891
do .....	E. J. Mullolly .....	900	Dec. 10, 1892
do .....	James Nangle .....	900	May 2, 1894
do .....	A. L. Smith .....	900	June 6, 1887
do .....	Peter Van Vranken.....	900	Dec. 13, 1888
do .....	J. R. Angel.....	900	Mar. 1, 1883
do .....	Fred Barber .....	900	do 31, 1893
do .....	Almon Boys.....	900	Feb. 14, 1880
do .....	J. H. Donnelly .....	900	July 1, 1893
do .....	Thomas Gorman.....	900	Aug. 16, 1890
do .....	Thomas Limner.....	900	June 18, 1891
do .....	W. E. Murray.....	900	Feb. 15, 1892
do .....	S. L. Meddaugh .....	900	Aug. 20, 1886
do .....	W. J. Purdy.....	900	Feb. 4, 1889
do .....	Allen Tupper .....	900	Nov. 1, 1882
do .....	William Tunis.....	900	May 13, 1889
do .....	L. Donlon .....	900	Oct. 1, 1876
do .....	George I. Brown .....	900	Sept. 21, 1887
do .....	J. J. Holmes .....	900	Oct. 29, 1888
do .....	John T. Sullivan .....	900	July 9, 1892
Sergeant of the Guard .....	H. C. Johnson.....	900	Sept. 11, 1894
Guard .....	E. W. Allen .....	780	Oct. 1, 1887
do .....	J. H. Barris .....	780	Sept. 18, 1893
do .....	John Bray .....	780	July 15, 1880
do .....	M. Boyle .....	780	Oct. 31, 1893
do .....	M. Conboy .....	780	June 19, 1893
do .....	Myron De Water.....	780	Dec. 27, 1894
do .....	B. Freshour .....	780	June 21, 1893
do .....	P. Ginnity.....	780	Oct. 21, 1886
do .....	James Griffin .....	780	Aug. 1, 1883
do .....	Peter Hahn .....	780	Jan. 9, 1894
do .....	M. P. Kavanagh .....	780	Feb. 15, 1894
do .....	T. F. Kinsella .....	780	Sep. 12, 1894
do .....	Frank Martin .....	780	Jan. 1, 1891
do .....	John Mullally.....	780	Aug. 10, 1891
do .....	F. E. Murphy .....	780	Apr. 27, 1893
do .....	John McGrath .....	780	do 11, 1894
do .....	John McGregor.....	780	Nov. 4, 1893
do .....	William O'Dea .....	780	May 17, 1893
do .....	John Riley .....	780	July 17, 1893
do .....	E. P. Rich .....	780	Dec. 21, 1893
do .....	G. H. Alvord .....	780	Jan. 4, 1892
do .....	John Beachman .....	780	July 15, 1893
do .....	N. H. Brill.....	780	Aug. 22, 1893
do .....	Howard Bates .....	780	Dec. 4, 1894
do .....	John T. Costello .....	780	Jan. 5, 1895
do .....	A. Durnin .....	780	Aug. 1, 1893
do .....	McLous Durkee.....	780	Mar. 1, 1894
do .....	C. H. Edwards .....	780	Sept. 27, 1893
do .....	John Flaherty .....	780	July 13, 1892
do .....	D. J. Grant.....	780	do 13, 1892
do .....	R. Hines .....	780	Sept. 11, 1893
do .....	P. F. Lyons .....	780	Oct. 31, 1893
do .....	G. W. Malone .....	780	June 30, 1894
do .....	Thomas Moroney .....	780	Jan. 2, 1894
do .....	John Murray.....	780	May 4, 1893
do .....	W. F. McCabe.....	780	July 16, 1892
do .....	S. Nolan.....	780	May 8, 1894
do .....	Dennis O'Neil .....	780	July 10, 1893
do .....	Frank Roach.....	780	do 26, 1892
do .....	Noyes Robbins.....	780	Dec. 21, 1894



SCHEDULE B — (Continued).

Auburn Prison — (Continued).

Title of position.	NAME.	Salary.	Date of appointment.
Guard .....	M. Ryan.....	\$780	May 27, 1893
do .....	H. P. Saxton .....	780	Sept. 27, 1891
do .....	G. P. Stupplebeen.....	780	Dec. 13, 1894
do .....	H. M. Tiffany .....	780	July 13, 1892
do .....	B. W. Topping .....	780	Jan. 4, 1895
do .....	John Wintors .....	780	Aug. 2, 1888
do .....	P. White .....	780	Apr. 17, 1894
do .....	O. F. Saunders .....	780	Sept. 1, 1894
do .....	J. J. Spellissey.....	780	Aug. 16, 1892
do .....	M. S. Walsh .....	780	do 10, 1893
do .....	Jesse Wishart.....	780	May 2, 1894
do .....	Dennis Ganey.....	780	Dec. 31, 1894
do .....	S. Delano .....	780	Apr. 11, 1889
do .....	Patrick Holihan .....	780	Dec. 19, 1893
do .....	George D. Sterns.....	780	Mar. 1, 1894
do .....	M. Mansell .....	780	Sept. 1, 1894
do .....	James Fogarty .....	780	do 27, 1893
do .....	Joseph Herman.....	780	do 1, 1894
do .....	James Johnson .....	780	Oct. 9, 1893
do .....	James Madden.....	780	June 1, 1891
do .....	L. A. Chatterton.....	780	Apr. 1, 1894
Death watch .....	D. McNaughton.....	780	July 30, 1887
do do .....	M. F. Kenney .....	780	Aug. 1, 1893

Prison for Women, Auburn.

Engineer .....	M. C. Sullivan.....	900	May 2, 1893
do .....	Patrick Morrisey.....	600	Nov. 10, 1894
Guard .....	Charles H. Westover .....	600	May 27, 1893
do .....	John P. Betts .....	600	Oct. 2, 1893
do .....	E. X. Kent .....	600	do 1, 1893
do .....	Adam O'Neil .....	600	Aug. 1, 1894
do .....	W. E. Dean.....	600	May 16, 1894
do .....	C. Nims .....	720	Aug. 31, 1893
do .....	William Gard .....	720	July 19, 1892
do .....	William Mulcaby .....	720	Jan. 22, 1894

Clinton Prison.

Physician .....	Julius S. Ransom, M. D....	2,000	May 15, 1889
Stenographer and Teacher .....	Edward M. Coughlin.....	1,200	Jan. 18, 1892
Instructor .....	S. Judelson .....	300	June 1, 1894
Pharmacist .....	Harry B. Mason.....	720	Apr. 1, 1895
Engineer .....	Patrick Moynihan .....	900	June 1, 1893
do .....	Dennis E. Spellman .....	900	Jan. 1, 1894
Principal keeper.....	Edward J. McKenna .....	2,000	May 1, 1892
Kitchen keeper.....	John Dormer .....	1,200	Feb. 1, 1893
Hall keeper.....	Michael Haggerty .....	1,200	Jan. 28, 1876
Yard keeper .....	Daniel S. Reed.....	1,200	May 10, 1892
Storekeeper.....	Charles Blair .....	1,200	Aug. 12, 1890
Hospital keeper .....	James W. Eddy.....	900	June 1, 1895
Keeper .....	Alanson Chase .....	900	July 1, 1880
do .....	James Clancy.....	900	Jan. 1, 1884
do .....	Charles B. Meader .....	900	Mar. 1, 1878
do .....	Elijah G. Vogan.....	900	June 1, 1887
do .....	John Foy.....	900	do 1, 1881
do .....	William L. Mead.....	900	Jan. 12, 1882
do .....	Judson Ellenwood .....	900	Dec. 31, 1883
do .....	Edward P. Lewis .....	900	May 1, 1882
do .....	William C. Clark .....	900	June 30, 1889
do .....	David E. Gay.....	900	Apr. 18, 1889
do .....	Joseph S. Nash .....	900	Feb. 15, 1881
do .....	Charles Moon .....	900	Dec. 13, 1879
do .....	Robert Long .....	900	June 30, 1888
do .....	John M. Hanley.....	900	Jan. 7, 1892
do .....	Henry W. Burnham .....	900	do 7, 1892
do .....	J. Frank Keenan.....	900	do 7, 1892
do .....	Joseph Robarge .....	900	do 7, 1892
do .....	John L. Marsden.....	900	Mar. 1, 1892

## SCHEDULE B — (Continued).

## Clinton Prison — (Continued).

Title of position.	NAME.	Salary.	Date of appointment.
Keeper .....	Morgan Van Gorder .....	\$900	Feb. 1, 1892
do .....	C. R. Johnson, Jr. ....	900	Apr. 25, 1891
do .....	Albert L. Thayer .....	900	Mar. 8, 1892
do .....	John O'Leary .....	900	Oct. 1, 1891
do .....	Andrew J. Galligan .....	900	May 10, 1892
do .....	John F. Macksey .....	900	Feb. 5, 1892
do .....	Patrick H. Cooney .....	900	Jan. 7, 1892
do .....	Edward F. Barrett .....	900	.....
do .....	E. E. Davis, Jr. ....	900	.....
Sergeant of Guard .....	James I. Hart .....	900	Mar. 27, 1882
Guard .....	Henry D. Kingsley .....	780	do 8, 1883
do .....	John Woods .....	780	Feb. 17, 1892
do .....	John H. North .....	780	June 1, 1891
do .....	Philip J. Kennedy .....	780	July 1, 1891
do .....	James Foley .....	780	do 7, 1891
do .....	Patrick Feehan .....	780	May 15, 1891
do .....	James N. Jennings .....	780	Jan. 7, 1892
do .....	Edward W. Cumm .....	780	Mar. 9, 1892
do .....	William Sheehy .....	780	May 10, 1892
do .....	Charles O. Lynam .....	780	June 22, 1892
do .....	William H. Delaney .....	780	Oct. 10, 1892
do .....	Halsey Mitchell .....	780	Jan. 20, 1893
do .....	J. W. C. Burdick .....	780	Feb. 1, 1893
do .....	James J. Morresey .....	780	do 1, 1893
do .....	William Murphy .....	780	do 8, 1893
do .....	Martin Delaney .....	780	Mar. 20, 1893
do .....	Dennis O'Brien .....	780	May 1, 1893
do .....	Carlos F. Morey .....	780	June 13, 1893
do .....	Frank Goddean .....	780	do 14, 1893
do .....	Michael J. O'Neil .....	780	do 15, 1893
do .....	Timothy O. Howard .....	780	do 19, 1893
do .....	George W. Olmstead .....	780	Mar. 14, 1894
do .....	Patrick T. Gordon .....	780	April 1, 1894
do .....	William H. Skaine .....	780	do 2, 1894
do .....	Supplian Soplica .....	780	June 1, 1894
do .....	William Connors .....	780	do 5, 1894
do .....	Lewis Priest .....	780	May 25, 1895
do .....	Wesley E. Cole .....	780	do 27, 1895
do .....	Edward D. Burby .....	780	June 1, 1895
do .....	Fremont C. Mead .....	780	Aug. 1, 1895
do .....	Oren F. Henry .....	780	Sept. 21, 1895
do .....	George C. Buck .....	780	April 23, 1893
do .....	Marcus L. Heading .....	780	Sept. 1, 1893

## Sing Sing Prison.

Physician .....	R. T. Irvine, M. D .....	2,000	Jan. 1, 1892
Shipping Clerk, Manufacturing Department .....	P. Connaughton .....	\$3.00 a day.	Oct. 1, 1889
Stock Clerk, Manufacturing Department .....	C. D. Maleady .....	2.75 a day.	June 16, 1893
Salesman, Manufacturing Department .....	Isaiah De Freest .....	5.00 a day.	Aug. 1, 1893
Clerk, Rebuilding Department .....	George D. Sanford .....	2.50 a day.	Dec. 9, 1893
Stenographer .....	D. J. Hickey .....	1,200	June 13, 1893
Principal keeper .....	James Connaughton .....	2,000	April 4, 1883
Storekeeper .....	G. R. Crissey .....	1,200	Aug. 11, 1891
Mess keeper .....	L. M. Rodgers .....	1,200	Mar. 1, 1883
Hall keeper .....	John J. Lynch .....	1,200	Aug. 1, 1891
Yard keeper .....	Charles Hilbert .....	1,200	Mar. 1, 1888
Keeper .....	Fred. Dornier .....	900	Oct. 19, 1893
do .....	M. F. Lally .....	900	Mar. 10, 1891
do .....	M. T. Mullins .....	900	Oct. 1, 1889
do .....	John O'Hara .....	900	July 27, 1891
do .....	George N. Bronson .....	900	Jan. 15, 1883
do .....	Garwood T. Smith .....	900	July 18, 1891
do .....	Edward McEneny .....	900	do 1, 1894
do .....	Thomas Mulligan .....	900	Jan. 3, 1884
do .....	Michael Mack .....	900	Feb. 3, 1894
do .....	Alfred Conyes .....	900	Sept. 1, 1885



## SCHEDULE B — (Continued).

## Sing Sing Prison — (Continued).

Title of position.	NAME.	Salary.	Date of appointment.
Keeper .....	Joseph A. Hubbell .....	\$900	Aug. 4, 1894
do .....	G. P. Holdridge .....	900	Oct. 19, 1894
do .....	G. J. Russell .....	900	Mar. 14, 1893
do .....	Martin Deeley .....	900	Dec. 3, 1891
do .....	J. W. Feerick .....	900	Feb. 12, 1892
do .....	Clinton L. Barclay .....	900	June 16, 1894
do .....	Joseph Bell .....	900	do 7, 1894
do .....	A. J. Biglin .....	900	Dec. 8, 1894
do .....	Thomas F. Coultry .....	900	Jan. 15, 1890
do .....	P. M. Cronin .....	900	June 19, 1891
do .....	Alonzo G. Davis .....	900	July 31, 1894
do .....	J. N. DeGraff .....	900	Mar. 6, 1878
do .....	J. D. Derrenbacher .....	900	June 3, 1889
do .....	John Durkin .....	900	Dec. 6, 1889
do .....	Michael Eustace .....	9 0	Oct. 22, 1889
do .....	C. P. Guernsey .....	900	Mar. 14, 1879
do .....	O. E. Helms .....	900	June 7, 1892
do .....	Irving Jewell .....	900	Dec. 1, 1894
do .....	George J. Kirsch .....	900	Aug. 24, 1891
do .....	James McCormick .....	900	Mar. 28, 1882
do .....	A. W. McClelland .....	900	Dec. 7, 1891
do .....	S. E. McNeal .....	900	do 6, 1889
do .....	Jasper W. Travis .....	900	do 31, 1894
do .....	H. C. Westlake .....	900	Sept. 15, 1878
do .....	M. J. Darby .....	900	May 1, 1895
do .....	John O'Keefe .....	900	do 1, 1895
do .....	Thomas Dugan .....	900	do 1, 1895
do .....	William J. Burton .....	900	do 1, 1895
do .....	Michael Gorman .....	900	do 1, 1895
do .....	Edward Reilly .....	900	Aug. 13, 1894
do .....	Edward Kinane .....	900	Jan. 1, 1894
do .....	Andrew J. Nearn .....	900	do 1, 1894
do .....	Hugh A. Lavery .....	900	June 1, 1895
do .....	C. L. Fitch .....	900	Aug. 1, 1895
do .....	Lawrence Murphy .....	900	do 1, 1895
do .....	Thomas S. Wheeler .....	900	do 1, 1895
do .....	S. W. Hammond .....	900	do 1, 1895
do .....	Daniel M. Lynch .....	900	Sept. 1, 1895
do .....	George B. Meserole .....	900	do 1, 1895
do .....	John S. Cochran .....	900	Oct. 15, 1895
do .....	J. F. Wells .....	900	Nov. 1, 1895
do .....	T. Mulcahy .....	900	do 1, 1895
Guard .....	John L. Birdsall .....	780	May 4, 1894
do .....	George W. Bradshaw .....	780	Mar. 18, 1892
do .....	James Bulger .....	780	Feb. 14, 1891
do .....	Charles W. Carey .....	780	Aug. 21, 1894
do .....	F. J. Clark .....	780	July 29, 1893
do .....	Martin Croak .....	780	June 12, 1894
do .....	Herman B. Crosby .....	780	Aug. 13, 1894
do .....	James Duffy .....	780	Dec. 29, 1894
do .....	George W. Fox .....	780	do 29, 1894
do .....	Michael Gibney .....	780	Nov. 3, 1894
do .....	W. J. Gormley .....	780	Mar. 19, 1894
do .....	J. J. Griffin .....	780	Dec. 28, 1894
do .....	J. T. Heaney .....	780	do 28, 1894
do .....	John E. Holla .....	780	do 26, 1894
do .....	W. E. Hopper .....	780	do 31, 1894
do .....	A. N. Ingersoll .....	780	July 19, 1888
do .....	John Kelly .....	780	May 19, 1880
do .....	Dennis Kerr .....	780	June 22, 1888
do .....	Peter McMahon .....	780	Aug. 19, 1893
do .....	Michael Mullins .....	780	June 5, 1893
do .....	Abner A. Mea .....	780	July 25, 1894
do .....	Alexander Robertson .....	780	June 7, 1893
do .....	J. J. Rowe .....	780	Oct. 29, 1894
do .....	Philip Shoemaker .....	780	Sept. 19, 1891
do .....	Joseph Siess .....	780	Dec. 28, 1894
do .....	John T. Hyland .....	780	Aug. 1, 1891
do .....	John H. Smith .....	780	Dec. 26, 1894
do .....	B. Tompkins .....	780	July 1, 1892
do .....	C. H. Vaughn .....	780	Jan. 28, 1891



## SCHEDULE B — (Continued).

## Sing Sing Prison — (Continued).

Title of position.	NAME.	Salary.	Date of appointment.
Guard .....	John McGough .....	\$780	Dec. 19, 1894
do .....	W. G. Gale .....	780	do 1, 1894
do .....	Charles E. Orne .....	780	Mar. 28, 1895
do .....	William W. Scoville .....	780	Aug. 9, 1895
do .....	John T. Reardon. ....	780	Sept. 3, 1895

## Albany State Normal College.

President .....	W. J. Milne .....	3,000	1889
Mathematics .....	A. N. Husted .....	2,200	1885
Ancient Languages .....	L. W. Richardson .....	2,000	
Natural Sciences .....	E. W. Wetmore ..	2,200	1891
Principal High School Department ..	W. V. Jones .....	2,000	1869
Critic .....	Clara M. Russell .....	1,000	1892
Elementary Methods .....	M. H. Bishop .....	1,000	1894
Principal Grammar Department .....	J. R. White .....	1,000	1894
English Grammar and History .....	Mary McClelland .....	900	1869
Elocution and Rhetoric .....	Margaret S. Mooney .....	900	1887
Psychology and French .....	E. Helen Hannahs .....	900	1889
Principal Primary Department .....	Anna E. Pierce .....	900	1886
Kindergarten .....	Ida M. Isdell .....	700	1885
Music .....	S. B. Belding .....	600	1886
Kindergarten .....	Helen Sewell .....	500	1888
Drawing .....	Kate Stoneman .....	450	1866
Secretary .....	Edith Bodley .....	600	1887
Model School .....	Eliza D. Paynter .....	600	
Model School .....	Aurelia Hyde .....	400	
High School .....	Anne E. Husted .....	500	
Janitor .....	J. McTragen .....	800	1885
Assistant Janitor .....	O. Wurtham .....	800	1891

## Brockport Normal School.

Principal .....	C. D. McLean .....	2,500	1868
Natural Sciences .....	W. H. Lennon .....	1,600	1869
Ancient Languages .....	C. D. Seely .....	1,600	1885
Mathematics .....	C. W. Smith .....	1,600	1891
Preceptress .....	Mary P. Roades .....	1,200	1880
Methods .....	Sarah A. Saunders .....	900	1895
Mathematics .....	Jane E. Lowery .....	800	1867
Grammar .....	C. M. Chriswell .....	700	1868
Intermediate Department .....	C. Leora Read .....	700	1894
Principal Primary Department .....	Louise C. Williams .....	700	1885
Music .....	Elizabeth S. Richmond ..	600	1869
Elocution .....	L. May Nash .....	600	1892
Critic .....	Mary White .....	600	1881
Drawing .....	Bertha Coleman .....	700	1890
Critic Primary Department .....	Fanny L. Avery .....	500	1895
German and History .....	Flora Willsea .....	700	1892
French .....	Elizabeth B. Allen .....	250	1894
Clerk .....	Jennette Reynolds .....	250	1893
Janitor .....	H. S. Riggs .....	800	1894

## Buffalo Normal School.

Principal .....	James M. Cassety .....	2,500	1886
Drawing and Physical Geography .....	M. M. Maycock .....	1,800	1871
Mathematics .....	M. A. G. Mead .....	1,800	1875
Physiology, Botany, Chemistry, etc. ..	I. P. Bishop .....	1,800	1888
Latin and Greek .....	W. L. Sprague .....	1,600	1889
Music .....	Joseph Mischka .....	400	1872
Methods .....	Gertrude M. Bacon .....	1,100	1894
Arithmetic .....	Mary Wright .....	900	1872
General Assistant .....	Isabella Gibson .....	900	1873
Grammar .....	Helen Durston .....	900	1892
English Literature and History .....	Laura Sprague .....	900	1892
Elocution .....	Mary Nye .....	500	1894
German and French .....	Clara Osthus .....	500	1894
School of Practice .....	Edith L. Hudson .....	150	1891
do .....	Carrie Benson .....	50	1893
Janitor .....	James Milne .....	666 66	.....

SCHEDULE B — (Continued).

Cortland Normal School.

Title of position.	NAME.	Salary.	Date of appointment.
Principal .....	F. J. Cheney .....	\$2,800	1891
Natural Sciences .....	D. L. Bardwell .....	1,700	1890
Latin and Greek .....	J. E. Banta .....	1,700	1892
Mathematics .....	W. A. Cornish .....	1,600	1893
Rhetoric .....	Mary Hendrick .....	800	1869
French and German .....	Harriet A. Hamilton .....	800	1895
History .....	Mary Hurd .....	600	1892
Superintendent School Practice .....	Clara Robinson .....	900	1892
Drawing .....	Helen Goodhue .....	800	1893
Latin and Sciences .....	C. M. Curry .....	750	1893
Music .....	Minnie Alger .....	650	1893
Intermediate Department .....	Grace Duffey .....	750	1893
Methods .....	Emily Ormsby .....	700	1894
do .....	Maria W. Bishop .....	750	.....
Primary Department .....	Mary Eastman .....	750	1883
Methods .....	Ella Gale .....	700	1895
Gymnastics .....	Anna Morris .....	600	1895
Janitor .....	Fred. Seeber .....	1,500	1893

Fredonia Normal School.

Principal .....	F. B. Palmer .....	2,800	1878
Vice-Principal .....	M. T. Dana .....	1,800	1881
Practice and Intermediate .....	A. Y. Freeman .....	1,500	1880
Ancient Languages .....	T. C. Burgess .....	1,500	1883
Natural Sciences .....	F. N. Jewett .....	1,500	1886
Greek and History .....	H. L. Holcomb .....	1,000	1894
do do .....	J. P. Harte .....	400	1894
Rhetoric .....	Anna McLaury .....	1,200	1887
do .....	L. T. Newcomb .....	200	1894
Drawing .....	Julia Shepard .....	700	1892
Primary Department .....	Nellie Palmer .....	700	1887
Elocution .....	Florelle Hovey .....	600	1887
Academic .....	Grace McKinstry .....	400	1894
Kindergarten .....	Addie Herrick .....	500	1895
Intermediate .....	Minnie Archibald .....	700	1884
Primary .....	Ruth English .....	700	1892
Physical Cutlure .....	Edna Fuller .....	400	1894
Janitor .....	P. J. Morris .....	800	1885

Geneseo Normal School.

Principal .....	John M. Milne .....	2,800	1889
Mathematics .....	Edward D. Graber .....	1,600	1895
Natural Sciences .....	H. J. Schmitz .....	1,600	1881
Ancient Languages .....	Frank E. Welles .....	1,600	1889
Rhetoric .....	Myra Burdick .....	850	1874
Intermediate .....	Phebe Hall .....	750	1892
Primary Department .....	Sara Goheen .....	750	1883
Elocution .....	Sarah Parry .....	700	1889
Grammar .....	Emeline Curtiss .....	700	1882
Intermediate Department .....	Elizabeth McBride .....	600	1873
Drawing .....	Mabel Haywood .....	600	1894
Methods .....	Julia Bailey .....	850	1892
Botany and Geography .....	Mary Burns .....	550	1877
Primary Department .....	E. V. Rorbach .....	600	1891
French and German .....	Louise Abbott .....	550	1888
Music .....	Mary Parks .....	450	1871
Latin .....	Grace Taintor .....	600	1894
Latin and Algebra .....	Bertha Paine .....	600	1894
Intermediate Department .....	Ethel A. Haven .....	500	1895
Primary Department .....	Orphe Milmine .....	550	1894
Janitor .....	L. C. Morey .....	800	1892
Assistant Janitor .....	W. Bradley .....	400	1894



## SCHEDULE B — (Continued).

## New Paltz Normal School.

Title of position.	NAME.	Salary.	Date of appointment.
Principal .....	Frank S. Capen.....	\$2,800	1882
Natural Sciences.....	H. L. Griffis.....	1,600	1888
Mathematics .....	W. S. Lattimer.....	1,600	1894
Methods .....	V. F. Page.....	1,200	1888
Literature .....	Elmer J. Bailey .....	800	1895
Ancient Languages.....	K. A. Gage.....	1,000	1886
French and German.....	Mary Babbitt .....	750	1894
Drawing .....	Anna Morgan.....	800	1893
English and Latin.....	Jeanette Graham.....	750	1894
Methods .....	Mary E. Harris .....	700	1895
do .....	F. M. Witter .....	800	1888
Music .....	Anna Reed.....	750	1890
Intermediate Department.....	Charlotte Reeve.....	650	1892
Primary Department.....	Ella Fallon.....	700	1893
Janitor .....	W. Miller.....	800	1892

## Oneonta Normal School.

Principal .....	James M. Milne.....	2,800	1889
Mathematics .....	Arthur M. Curtis.....	1,800	1895
Languages .....	E. F. Bacon.....	1,100	1889
Ancient Languages.....	F. D. Blodgett.....	1,400	1893
Sciences .....	H. Lyon.....	1,500	1893
Methods.....	Kate M. Denison .....	1,000	1895
Music .....	Anna G. Childs.....	800	1889
Mathematics .....	Grace B. Latimer.....	1,000	1889
Reading.....	Helen E. Scranling .....	400	1895
Methods.....	Harriet Gates.....	800	1891
History.....	Winifred Parsons.....	800	1891
Physical Culture.....	Charles A. Schumaker.....	1,000	1895
Botany .....	Frances Hurd.....	700	1889
Primary Department .....	Cora H. Pettet .....	700	1894
Physical Geography .....	Florence Matterson.....	700	1893
Grammar .....	Genevieve Ingersoll.....	500	1895
Engineer.....	W. H. Whitney .....	900	1894
Janitor .....	S. Ferns.....	600	1894

## Oswego Normal School.

Principal .....	E. A. Sheldon.....	2,800	1867
Algebra, Trigonometry and Geometry	J. B. Poucher .....	1,800	1889
Natural Sciences.....	C. B. Scott.....	1,600	1894
Biology .....	C. S. Sheldon .....	1,600	1893
Drawing .....	R. K. Piez .....	1,600	1893
School of Practice .....	A. W. Farnham.....	1,000	1894
Philosophy and Methods.....	M. K. Smith.....	1,200	1886
Physical Culture.....	L. E. Phoenix .....	1,200	1893
Literature and History.....	C. S. G. Scales .....	1,200	
Kindergarten .....	A. P. Funnelle.....	1,200	1889
do .....	J. C. Bunker .....	500	1892
Primary Department .....	A. J. Flynn.....	325	1891
Literature .....	A. L. Harwood.....	660	1894
Grammar .....	A. E. Manktelow.....	300	1894
Rhetoric .....	M. H. McElroy .....	200	1884
Drawing .....	E. Salmon.....	200	1886
Penmanship .....	M. L. O. Gerau .....	100	1894
Clerk.....	M. E. Horton.....	400	1892
Janitor.....	F. H. Cyrenius .....	600	1892

## Plattsburgh Normal School.

Principal.....	E. N. Jones.....	2,800	1892
Natural Sciences.....	G. H. Hudson .....	1,800	1890
Mathematics.....	G. K. Hawkins .....	1,800	1890
Methods.....	Eliza Kellas .....	1,000	1890
Drawing .....	Josephine A. Greene.....	700	1895
History.....	Theodore Kyle .....	800	1892
Elocution .....	Alice O'Brien .....	700	1890



SCHEDULE B — (Continued).

Plattsburgh Normal School — (Continued).

Title of position.	NAME.	Salary.	Date of appointment.
Languages .....	Helen M. Palmer.....	\$700	1890
Ancient Languages .....	David A. Lockwood.....	1,700	1892
Music .....	S. M. Hapgood .....	700	1892
Critic.....	Lucy Tracy .....	700	1892
do .....	Louise Perry .....	700	1892
School of Practice .....	Sara F. Bliss .....	900	1895
Librarian.....	Anne O'Brien .....	500	1892
Janitor .....	J. E. Blanchard .....	800	1892

Potsdam Normal School.

Principal.....	T. B. Stowell .....	2,500	1889
Preceptress .....	Amelia Morey .....	1,200	1874
Natural Sciences.....	W. Mann .....	1,500	1872
History .....	E. W. Flagg.....	1,500	1883
French and German .....	Ida Steyer.....	800	1883
Primary Department .....	Jane Butrick.....	800	1883
Music.....	Julia Etta Crane .....	800	1884
Ancient Classics and Methods....	C. A. Rosegrants.....	1,300	1895
Arithmetic, Civics and Methods....	T. H. Allen.....	1,200	1886
Botany and Arithmetic.....	Sarah Chollar.....	800	1889
Primary Department. ....	James Graves.....	700	1887
Intermediate Department .....	Nellie L. Bartlett.....	800	1895
Drawing ....	S. Norse.....	900	1893
Mathematics.....	W. E. Bond.....	1,300	1893
Physical Culture .....	Ola Esterly.....	800	1894
Orchestra .....	H. A. Watkins .....	200	1892
Janitor.....	G. A. White ....	800	1893

PERSONS EMPLOYED BY SPECIAL RESOLUTION OF THE COMMISSION IN ACCORDANCE WITH SECOND PARAGRAPH OF CIVIL SERVICE RULE 30.

State Commission in Lunacy.

Title of position.	NAME.	Salary.	Date of appointment.
Special Agent.....	William S. Augsburg .....	\$5.00 a day	Nov. 12, 1895
do .....	Egbert F. Croyer.....	5.00 a day	do 12, 1895
do .....	Charles P. Bible.....	5.00 a day	do 12, 1895

New York School for the Blind, Batavia.

Instructor of the Violin (9 hours per week) .....	August Fricker .....	1.00 an h'r	Oct. 1, 1895
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House of Refuge, Albion, N. Y.

Teacher of Dressmaking (3 lessons per week) .....	Helen McConnell .....	2.00 a les'n	Oct. 1, 1895
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## PERSONS EMPLOYED BY SPECIAL RESOLUTION, Etc.—(Continued).

## Elmira Reformatory.

Title of position.	NAME.	Salary.	Date of appointment.
Instructor Carpentry (2 evenings per week) .....	Oscar Thompson.....	\$16.66 a mo.	Oct. 1, 1892
Assistant Instructor Carpentry (2 evenings per week) .....	C. Connolly .....	1.50 an ev.	Dec. 1, 1892
Instructor in German and of Band (5 evenings per week).....	Louis Nosser .....	13.00 a w'k	Apr. 29, 1895
Instructor Brass Fitting (2 evenings per week) .....	G. Weisleider. ....	2.00 an ev.	May 1, 1893
Instructor Stenography (3 evenings per week) .....	F. L. Howard .....	2.00 an ev.	Mar. 15, 1894
Instructor Cabinetwork (2 evenings per week) .....	C. L. Smith.....	2.00 an ev.	Dec. 20, 1894
Instructor Woodturning (2 evenings per week) .....	T. S. Gates .....	2.00 an ev.	July 26, 1894
Instructor Stonecutting (2 evenings per week) .....	William Frazier .....	2.00 an ev.	Feb. 1, 1893
Instructor Stonecutting (2 evenings per week) .....	David Shay.....	2.00 an ev.	Dec. 1, 1895
Instructor Normal Class (2 evenings per week) .....	J. C. Van Etten .....	3.00 an ev.	Apr. 10, 1895
Instructor Plumbing (2 evenings per week) .....	William Espey .....	2.00 an ev.	do 9, 1895
Instructor Tailoring (2 evenings per week) .....	George E. Weaver .....	2.00 an ev.	May 6, 1895
Instructor Blacksmithing (2 evenings per week) .....	B. S. Wescott .....	2.00 an ev.	July 24, 1895
Instructor Carving (2 evenings per week) .....	Louis Huth.....	2.00 an ev.	Nov. 11, 1895
Instructor Barbering (2 evenings per week) .....	J. W. Ellsworth .....	2.00 an ev.	Dec. 9, 1895

## PERSONS HOLDING POSITIONS IN SCHEDULE C.

## Department of Secretary of State.

Title of position.	NAME.	Salary.	Date of appointment.
Chief Clerk .....	J. B. H. Mongin .....	\$2,500	Oct. 15, 1894
Cashier and Bookkeeper .....	Horace G. Tennant .....	1,500	Jan. 1, 1894

## Department of Comptroller.

Chief Tax Clerk .....	George R. Kehoe .....	2,400	Feb. 14, 1887
Land or First Assistant Tax Clerk....	William H. Sanger.....	2,000	Jan. 1, 1880
Corporation Tax Clerk.....	John J. Merrill. ....	2,000	Mar. 9, 1894
Chief Clerk, Bureau Canal Affairs ...	George H. Burchall.....	2,000	Jan. 1, 1866
Excise Agent.....	Philip Doblin. ....	1,200	July 1, 1895
do do .....	George C. Germond.....	1,200	July 1, 1895
do do .....	Henry George.....	1,200	Aug. 2, 1894
do do .....	John C. Graham .....	1,200	Sept. 19, 1894

## Department of Attorney-General.

Chief Clerk.....	W. H. Van Benschoten ....	900	Jan. 1, 1896
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## Department of State Engineer and Surveyor.

Chief Clerk.....	John Batchellor .....	3,500	Jan. 8, 1894
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THIRTEENTH REPORT OF THE  
SCHEDULE C — (Continued).  
Department of Board of Health.

Title of position.	NAME.	Salary.	Date of appointment.
Cattle Inspector .....	Robert D. Austin .....	.....	.....
do do .....	John Faust .....	.....	.....
do do .....	William R. Faust .....	.....	.....

Department of Factory Inspector.

Private Secretary .....	Herbert H. Reynolds.....	\$1,200	Dec. 1 1895
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Department of Fisheries, Game and Forest Commission.

Special Agent.....	Arthur B. Strough .....	1,200	Aug. 15, 1895
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Department of State Historian.

Stenographer.....	Henry H. Noble.....	1,000	Sept. 4. 1895
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Department of Public Buildings.

Carpenter.....	John Steiger .....	\$900	Feb. 1, 1895
do .....	George E. Dunklee .....	720	Oct. 1, 1894
do .....	Frederick Frey .....	720	Feb. 1, 1895
do ..	William Martin .....	720	do 1, 1895
do ..	William H. Russell .....	720	do 1, 1895
do ..	H. Van Scoye .....	720	Oct. 1, 1886
Machinist .....	Charles E. Tinney.....	1,080	Feb. 1, 1895
Janitor .....	William C. Turner .....	1,200	Mar. 1, 1895
do .....	Dayton P. Stowell.....	1,200	Apr. 1, 1895

Onondaga Salt Works, Syracuse.

Deputy Superintendent.....	John M. Jaycox .....	1,200	Mar. 15, 1883
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Elmira Reformatory.

Superintendent .....	Z. R. Brockway .....	3,500	May 12, 1876
Assistant Superintendent.....	Oscar Hoppe.....	1,800	Mar. 1, 1883
Military Instructor.....	Claude F. Bryan .....	1,350	Oct. 1, 1889
Assistant Military Instructor .....	C. W. McMullen .....	1,000	May 15, 1894
Manual Training Instructor .....	H. R. Jacques.....	856	Sept. 13, 1895
Physician .....	H. D. Wey, M. D .....	1,200	July 1, 1879

Auburn Prison.

Agent and Warden.....	James C. Stout .....	3,500	May 1, 1893
Clerk.....	B. F. Winegar.....	2,000	Feb. 1, 1894
Assistant Clerk .....	R. G. Shaw.....	1,500	do 15, 1894
Hospital Steward .....	W. C. Patterson.....	1,200	Aug. 2, 1888
Superintendent Broom Department..	F. H. Mills.....	2,200	Jan. 1, 1891
Superintendent Hollow Ware Depart- ment .....	W. J. Conway.....	1,200	June 11, 1893
Superintendent Furniture Depart- ment .....	W. H. Hotchkiss .....	\$3.50 a day	Feb. 12, 1894
Superintendent New Buildings .....	W. B. Barnes.....	4.00 a day	June 1, 1893

Prison for Women, Auburn.

Steward.....	Charles N. Smith .....	1,000	Sept. 1, 1894
Superintendent of Industries .....	Charles N. Smith.....	1,000	Apr. 15, 1894
Matron.....	Annie M. Welshe.....	900	do 27, 1893



**SCHEDULE C — (Continued).****Clinton Prison.**

Title of position.	NAME.	Salary.	Date of appointment.
Agent and Warden .....	Walter N. Thayer.....	\$3,500	Jan. 1, 1892
Clerk.....	John Farnsworth . ....	2,000	Apr. 1, 1892
Assistant Clerk .....	I. Edward Irish .....	1,500	Feb. 1, 1894
Superintendent Manufacturing Department .....	Edward P. Kennedy .....	1,300	Mar. 1, 1892
Superintendent Manufacturing Department .....	E. J. Breen.....	1,000	Feb. 12, 1894
Purchasing Agent Manufacturing Department.....	John P. Powers .....	2,000	Oct. 16, 1892

**Sing Sing Prison.**

Agent and Warden .....	O. V. Sage ....	3,500	Dec. 1, 1894
Clerk .....	Edward P. Corwin .....	2,000	Jan. 18, 1894
Assistant Clerk .....	Edgar W. Cook .....	1,500	Dec. 31, 1894
Superintendent Manufacturing Department.....	M. L. York .....	2,000	do 17, 1894
Superintendent Manufacturing Department.....	W. H. Austin.....	1,200	Oct. 1, 1892
Superintendent of Construction .....	Emil A. Kriger.....	2,400	Dec. 12, 1894
Architect and Foreman .....	H. H. Tyrrell.....	1,800	do 17, 1894

**Binghamton State Hospital.**

Medical Interne .....	Arthur P. Shellman, M.D..	600	Dec. 1, 1895
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**Buffalo State Hospital.**

Medical Interne .....	Eugene H. Goodfellow, M.D.	600	Dec. 5, 1895
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**Middletown State Hospital.**

Medical Interne .....	Arthur P. Powelson, M. D..	600	Dec. 31, 1895
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**St. Lawrence State Hospital.**

Medical Interne.....	James Burton, M. D .....	600	Mar. 24, 1894
do do .....	Sidney D. Wilgus, M. D ....	600	Sept. 23, 1895

**Hudson River State Hospital.**

Medical Interne .....	Frederick J. Mann, M. D..	600	Jan. 1, 1896
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**Rochester State Hospital.**

Medical Interne .....	Charles T. La Moure, M. D.	600	Sept. 4, 1894
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**Willard State Hospital.**

Medical Interne .....	John W. Russell, M. D.....	600	Aug. 1, 1895
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**Matteawan State Hospital.**

Medical Interne.....	M. L. Bird, M. D .....	456	Feb. 18, 1894
Medical Interne.....	George H. Torney, Jr., M. D.	480	Dec. 5, 1895

SCHEDULE C — (Continued).

State Industrial School, Rochester.

Title of position.	NAME.	Salary.	Date of appointment.
Superintendent .....	Franklin H. Briggs.....	\$2,500	Apr. 1, 1894
Physician .....	Lewis W. Rose, M. D.....	1,000	June 22, 1894
do .....	E. R. Hardenbrook, M. D..	200	Oct. 10, 1894
Steward. ....	F. S. Stebbins .....	1,500	Mar. 20, 1894
Matron .....	Margaret E. Craig .....	1,000	May 1, 1893
do .....	Georgia A. Daniels .....	720	do 15, 1892
Accompanist.....	Mrs. F. B. Raymond .....	300	Dec. 1, 1895

House of Refuge for Women, Hudson.

Superintendent .....	Sarah V. Coon .....	1,500	Nov. 1, 1886
Steward .....	Charles V. Cure.....	1,800	Jan. 1, 1887

House of Refuge for Women, Albion.

Superintendent .....	Mary K. Boyd.....	1,200	Nov. 1, 1893
Steward.....	S. G. Nott .....	1,200	Dec. 1, 1893
Matron .....	Margaret Meldrum .....	720	do 1, 1893
Physician .....	Harriet Watson, M. D .....	Fees	Nov. 1, 1893

Institution for Feeble-Minded Children, Syracuse.

Superintendent .....	James C. Carson, M. D....	4,000	Oct. 8, 1884
Steward .....	John L. Barnett.....	1,000	Aug. 1, 1892
Matron .....	Alvira E. Wood .....	800	— —, 1852
Physician .....	Kate A. Hathaway, M. D ..	1,200	July 20, 1888
do .....	Julia St. John Wygant, M.D.	1,200	Jan. 31, 1895

Newark Custodial Asylum.

Superintendent .....	C. W. Winspear .....	1,600	July 1, 1893
Matron .....	Gertrude Winspear .....	900	do 1, 1893
Physician .....	M. Alice Brownell, M. D ...	900	Aug. 21, 1891

State School for the Blind, Batavia.

Superintendent .....	Gardner Fuller.....	2,000	Apr. 30, 1895
Matron .....	Mrs. M. E. Ashley.....	500	Jan. 30, 1895
Physician .....	C. F. McCarthy, M. D .....	400	July 1, 1894
Steward .....	Peter Thomas.....	1,000	Jan. 2, 1895
Head Teacher, Literature Department	Oliver R. Heinze .....	800	Nov. 1, 1895

Health Officer, Port of New York.

Superintendent Fire Island.....	James A. Jenkins.....	1,200	May 1, 1893
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Thomas Orphan Asylum, Versailles.

Matron .....	Emily P. Lincoln.....	600	Apr. 8, 1895
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Supreme Court, New York City.

Law Clerk.....	Edward J Stapleton.....	3,500	Jan. 3, 1893
Equity Clerk .....	George H. Farbach .....	3,500	do 3, 1893
Deputy Clerk .....	William Lamb, Jr.....	2,500	do 1, 1896
Assistant Deputy Clerk.....	Morris H. Brown.....	2,000	do 1, 1896
Clerk.....	John F. Carroll.....	2,000	do 1, 1896
do .....	Cornelius J. Kane.....	2,000	do 1, 1896
do .....	Dennis A. McLaughlin....	2,000	do 1, 1896
do .....	Willis P. Miner .....	2,000	do 1, 1896
do .....	Peter L. Halpin .....	2,000	do 1, 1896



## SCHEDULE C — (Continued).

## Supreme Court, New York City — (Continued).

Title of position.	NAME.	Salary.	Date of appointment.
Clerk .....	Isaiah Kaiser .....	\$2,000	Jan. 1, 1896
do .....	Hugh Donnelly .....	2,000	do 1, 1896
do .....	Henry C. Reilly .....	2,000	do 1, 1896
do .....	James L. McNeirney .....	2,500	do 1, 1896
do .....	Thomas Boese .....	2,500	do 1, 1896
do .....	Clifford Boese .....	2,000	do 1, 1896
do .....	J. H. H. Ward .....	2,000	do 1, 1896
do .....	William H. Buck .....	2,000	June 1, 1890
do .....	James B. F. Smith .....	2,000	Mar. 1, 1894
do .....	William J. Hill .....	2,000	Jan. 3, 1893
do .....	Ambrose O. McCall .....	2,000	do 3, 1893
do .....	Walter A. Brady .....	2,000	do 3, 1893
do .....	John Lerscher .....	2,000	do 3, 1893
do .....	J. Lewis Lyon .....	2,500	do 3, 1893
do .....	George F. Lyon .....	2,000	do 3, 1893
Clerk to Giergerich, J. ....	David R. Daly .....	1,800	do 1, 1896
Clerk to Beekman, J. ....	Samuel Shortridge .....	2,000	do 1, 1896
Clerk to Lawrence, J. ....	David J. Lees .....	2,500	Sept. 26, 1889
Clerk to Andrews, J. ....	Peter McAleer .....	1,800	July 17, 1894
Clerk to Rumsey, J. ....	David Rumsey .....	2,500	Jan. 1, 1896
Clerk to Bookstaver, J. ....	John P. Browning .....	1,800	do 1, 1896
Clerk to Dugro, J. ....	Frederick Kropp .....	1,800	do 1, 1896
Clerk to Daly, J. ....	A. Sidney Norton .....	2,500	do 1, 1896
Clerk to Bischoff, J. ....	William J. A. McKim .....	2,500	do 1, 1896
Clerk to McAdam, J. ....	Thomas F. Keough .....	2,500	do 1, 1896
Clerk to Gildersleeve, J. ....	R. H. Williams .....	1,800	do 1, 1896
Clerk to Smyth, J. ....	John Birmingham .....	2,500	do 1, 1896
Clerk to Pryor, J. ....	O. H. Sanderson .....	2,500	do 1, 1896
Clerk to Truax, J. ....	Arthur D. Truax .....	2,500	do 1, 1896
Clerk to Sedgwick, J. ....	Gerald H. Gray .....	1,800	do 1, 1896
Clerk to MacLean, J. ....	Frank A. Erwin .....	2,500	do 1, 1896
Clerk to Freedman, J. ....	Lewis H. Freedman .....	1,800	do 1, 1896
Assistant Clerk .....	James J. Duffy .....	1,500	do 1, 1896
do .....	James Mitchell .....	1,500	do 1, 1896
do .....	James J. Duffy .....	1,500	do 1, 1896
do .....	James R. Kiernan .....	1,500	do 1, 1896
do .....	William L. Taylor .....	1,500	do 1, 1896
do .....	William Geoghogan .....	1,500	do 1, 1896
do .....	Edward T. McCrystal .....	1,500	do 1, 1896
do .....	David J. Daly .....	1,500	do 1, 1896
do .....	Edwin M. Coe .....	1,500	do 1, 1896
do .....	Nicholas J. Hayes .....	1,500	do 1, 1896
do .....	Joseph F. Earley .....	1,500	do 1, 1896
do .....	John H. Loos .....	1,500	do 1, 1896
do .....	Joseph H. Brown .....	1,500	do 1, 1896
do .....	John W. Guntzer .....	1,500	do 1, 1896
do .....	William P. Richardson .....	1,500	do 1, 1896
do .....	Stephen H. Keating .....	1,500	do 10, 1894
Stenographer .....	Edwin A. Kingsley .....	2,500	Nov. 13, 1889
do .....	Robert Bonyng .....	2,500	Jan. 25, 1889
do .....	William F. Bonyng .....	2,500	do 1, 1896
do .....	James E. Munson .....	2,500	do 1, 1896
do .....	Robert Macklin .....	2,500	Nov. 15, 1864
do .....	F. D. Storey .....	2,500	Mar. 5, 1880
do .....	James J. Nealis .....	2,500	Feb. 2, 1883
do .....	William A. Donnell .....	2,500	Dec. 4, 1884
do .....	Benjamin H. Doane .....	2,500	Sept. 1, 1892
do .....	William C. Huson .....	2,500	Jan. 1, 1896
do .....	Edwin N. Robbins .....	2,500	do 1, 1896
do .....	John Cotter .....	2,500	do 1, 1896
do .....	Peter J. Laughlin .....	2,500	do 1, 1896
do .....	Bartholomew Moynahan ..	2,500	do 1, 1896
do .....	John Standfast .....	2,500	do 1, 1896
do .....	Edward J. Shalvey .....	2,500	do 1, 1896
do .....	Albert E. Cochran .....	2,500	do 1, 1896
do .....	John P. Martin .....	2,500	do 1, 1896
do .....	Henry H. Alexander .....	2,500	do 1, 1896
do .....	Clifton D. Bull .....	2,500	do 1, 1896
do .....	Henry G. Smith .....	2,500	do 1, 1896
Librarian .....	Thomas S. Hume .....	2,500	July 9, 1894
Assistant Librarian .....	William G. Scott .....	2,000	Jan. 1, 1896
Crier .....	William H. Ricketts .....	2,500	Dec. 17, 1866



## SCHEDULE C — (Continued).

## Supreme Court, New York City — (Continued).

Title of position.	NAME.	Salary.	Date of appointment.
Assistant Crier .....	William J. Lynch .....	\$2,000	Jan. 1, 1896
Interpreter.....	Hugo Schultes .....	2,500	Dec. 4, 1893
Attendant.....	Michael Brophy.....	1,200	Feb. 28, 1874
do .....	John J. Breen.....	1,000	Apr. 25, 1894
do .....	James E. McVeany .....	1,200	May 1, 1874
do .....	Michael Martin.....	1,200	Jan. 3, 1876
do .....	John K. Arnold .....	1,200	do 15, 1876
do .....	Thomas Brennan .....	1,000	Apr. 1, 1888
do .....	John W. Martin .....	1,200	Mar. 1, 1886
do .....	Philip Furlong .....	1,000	Feb. 1, 1883
do .....	Nathaniel A. Jarvis.....	1,000	Jan. 5, 1892
do .....	George W. Nash .....	1,000	June 10, 1884
do .....	Joseph P. Strack.....	1,000	do 10, 1884
do .....	Andrew B. McDonald .....	1,000	Apr. 7, 1892
do .....	John H. Barnbach .....	1,000	do 1, 1888
do .....	James McGuire .....	1,000	Nov. 1, 1887
do .....	John J. McDermott .....	1,000	June 1, 1892
do .....	John McCarney .....	1,000	do 25, 1889
do .....	William Hannah .....	1,000	Nov. 1, 1892
do .....	George Schau .....	1,000	do 15, 1893
do .....	Charles Dremel .....	1,000	Jan. 22, 1894
do .....	Thomas F. O'Connor.....	1,000	Sept. 20, 1893
do .....	Michael L. Burke .....	1,000	Jan. 25, 1894
do .....	Thomas Kane .....	1,000	May 18, 1893
do .....	Michael Sullivan.....	1,000	Nov. 4, 1891
do .....	Henry Q. Howe .....	1,000	Apr. 7, 1891
do .....	Frederick Merz .....	1,200	Dec. 15, 1876
do .....	James Cherry.....	1,000	Jan. 2, 1883
do .....	Edward R. Watson.....	1,000	Mar. 1, 1885
do .....	John D. Newman.....	1,000	Nov. 1, 1885
do .....	Henry Dyer.....	1,000	Sept. 1, 1887
do .....	Edward J. Hastings.....	1,000	Jan. 1, 1896
do .....	John G. Roesch.....	1,000	Nov. 21, 1890
do .....	John F. Reilly.....	1,000	Jan. 10, 1891
do .....	James P. Wallace.....	1,000	July 31, 1891
do .....	Daniel A. Sheehan.....	1,000	Nov. 17, 1891
do .....	John F. Berrigan.....	1,000	Dec. 5, 1891
do .....	Morgan J. Skiddy.....	1,000	do 7, 1892
do .....	John J. Doyle.....	1,000	Jan. 1, 1896
do .....	Martin Saibert.....	1,000	do 16, 1894
do .....	George L. Greene.....	1,200	Feb. 18, 1868
do .....	Thomas Sweeny.....	1,200	Apr. 29, 1872
do .....	Andrew J. McConnell.....	1,000	Jan. 1, 1896
do .....	John Schultz.....	1,200	Oct. 1, 1870
do .....	Theo. J. Henry.....	1,200	June 1, 1875
do .....	John Murphy.....	1,200	May 7, 1877
do .....	Joseph H. Treanor.....	1,000	Jan. 1, 1896
do .....	Aaron M. Erlich.....	1,000	June 9, 1894
do .....	Andrew Hanneman.....	1,000	Jan. 1, 1886
do .....	James Murphy.....	1,000	Mar. 15, 1887
do .....	James Campbell.....	1,000	Jan. 27, 1888
do .....	John W. Jones.....	1,000	Dec. 2, 1890
do .....	John McQuade.....	1,000	July 7, 1892
do .....	John Rottkamp.....	1,000	Dec. 7, 1892
do .....	David Cahn.....	1,000	do 23, 1892
do .....	James Green.....	1,000	Jan. 1, 1896
do .....	Matthew Patten.....	1,000	May 9, 1891
do .....	John G. Westfall.....	1,000	Aug. 21, 1894
do .....	Hiram Van Tassel .....	1,000	Jan. 1, 1896
do .....	James E. Ricketts.....	1,000	do 1, 1896
do .....	Geo. I. Wooley.....	1,000	do 1, 1896
do .....	Lynn W. Thompson.....	1,000	do 1, 1896
do .....	Jay A. Gibbs.....	1,000	do 1, 1896
do .....	Redmond Keating.....	1,000	do 1, 1896
do .....	James H. Scott.....	1,000	do 1, 1896
do .....	William H. Tisdale.....	1,000	do 1, 1896
do .....	Patrick Daly.....	1,000	do 1, 1896
do .....	Alexander B. Smith.....	1,000	do 1, 1896
do .....	William P. Meehan.....	1,000	do 1, 1886
do .....	Thos. McCormick.....	1,000	do 1, 1896
do .....	James J. Owens, Jr.....	1,000	do 1, 1896
do .....	Hugo Kraemer.....	1,000	do 1, 1896

## SCHEDULE C — (Continued).

## Supreme Court, New York City — (Continued).

Title of position.	NAME.	Salary.	Date of appointment.
Attendant.....	Henry B. Henze .....	\$1,000	Jan. 1, 1896
do .....	Rudolph Prohl.....	1,000	do 1, 1896
do .....	Robert Blum.....	1,000	do 1, 1896
do .....	George A. Tallman.....	1,000	do 1, 1896
do .....	James P. Rogers.....	1,000	do 1, 1896
do .....	Albert Stern.....	1,000	do 1, 1896
do .....	John E. Fitzpatrick.....	1,000	do 1, 1896
do .....	John J. McCarthy.....	1,000	do 1, 1896
do .....	Adolph Schillinger .....	1,000	do 1, 1896
do .....	Joseph Houghton.....	1,000	do 1, 1896
do .....	William G. Clark.....	1,000	do 1, 1896
do .....	J. Louis Strahan.....	1,000	do 1, 1896
do .....	Thomas J. Dolan.....	1,000	do 1, 1896
do .....	John Garnett.....	1,000	do 1, 1896
do .....	Peter W. McGuire.....	1,000	do 1, 1896
do .....	Albert F. Wehle.....	1,000	do 1, 1896
do .....	Joseph O. Davis .....	1,000	do 1, 1896
do .....	James W. Ledwith.....	1,000	do 1, 1896
do .....	Albert Sanders.....	1,000	do 1, 1896
do .....	William A. Whelpley.....	1,000	do 1, 1896
do .....	Edward H. Finney.....	1,100	do 1, 1896

## Supreme Court, Appellate Division, Brooklyn.

Crier.....	George A. Price.....	\$3 a day	Jan. 1, 1896
Stenographer.....	George L. Betts.....	\$2,500	do 1, 1896

## City Court, New York City.

Deputy clerk.....	Edward H. Piepenbring....	3,000	Oct. 28, 1892
do .....	Patrick A. Gilroy .....	2,000	June 4, 1894
do .....	Terrence Duffy.....	2,000	Nov. 15, 1889
Assistant clerk.....	James J. McCloskey.....	2,000	Jan. 3, 1878
do .....	George Croker.....	2,000	do 1, 1877
do .....	Thomas Carroll.....	1,500	do 16, 1884
do .....	Peter F. Murray.....	1,500	Feb. 1, 1886
do .....	John Graham.....	1,500	do 20, 1888
do .....	Edward G. Tully.....	1,500	Apr. 1, 1888
do .....	Henry P. McGowan, Jr....	1,500	Nov. 15, 1889
do .....	Simpson Hamberger.....	1,500	Jan. 14, 1891
do .....	Richard J. Sheerin.....	1,500	May 2, 1891
do .....	John Quigg.....	1,500	Sept. 20, 1893
do .....	John McCormick.....	1,500	Mar. 27, 1895
Stenographer .....	F. J. Warburton.....	2,500	Apr. 27, 1867
do .....	Farrell O'Dowd.....	2,500	Jan. 5, 1869
do .....	John R. Potts.....	2,500	Feb. 23, 1889
do .....	Michael J. Kelly.....	2,500	Nov. 14, 1892
Interpreter.....	Phillip F. Schmitt.....	1,500	Apr. 23, 1891
Attendant.....	Frederick Tourelle .....	1,000	Feb. 15, 1881
do .....	Moses Levi.....	1,000	do 1, 1886
do .....	Edward Brucks.....	1,000	do 1, 1888
do .....	Frederick Straus.....	1,000	do 15, 1888
do .....	Frank P. Dunlap.....	1,000	do 20, 1888
do .....	John D. Wieking.....	1,000	Mar. 6, 1888
do .....	John Courtney.....	1,000	May 7, 1889
do .....	William Arbuthnot.....	1,000	do 17, 1889
do .....	John F. Scully.....	1,000	Feb. 1, 1890
do .....	John C. McDermott.....	1,000	Dec. 31, 1890
do .....	William H. Keegan.....	1,000	Feb. 1, 1891
do .....	Theodore A. Hamilton....	1,000	Aug. 21, 1891
do .....	Leon Phillips.....	1,000	Sept. 30, 1893

## Magistrate's Court, New York City.

Police Clerk's Assistant.....	Charles A. Adams .....	2,000	July 1, 1895
do do .....	Charles Anthes .....	2,000	do 1, 1895
do do .....	Edgar J. Bird .....	2,000	do 1, 1895
do do .....	Thomas A. Church.....	2,000	do 1, 1895



## SCHEDULE C — (Continued).

## Magistrate's Court, New York City — (Continued).

Title of position.	NAME.	Salary.	Date of appointment.
Police Clerk's Assistant .....	David Crocheron.....	\$2,000	July 1, 1895
do do .....	George W. Cregier.....	2,000	do 1, 1895
do do .....	William G. Davis.....	2,000	do 1, 1895
do do .....	James E. Doran.....	2,000	do 1, 1895
do do .....	James G. Dyer.....	2,000	do 1, 1895
do do .....	J hn Gavigan.....	2,000	do 1, 1895
do do .....	Eugene H. Healey.....	2,000	do 1, 1895
do do .....	Nathan Klein .....	2,000	do 1, 1895
do do .....	Harry Merz .....	2,000	do 1, 1895
do do .....	William H. Steinkamp.....	2,000	do 1, 1895
do do .....	Samuel Williamson.....	2,000	do 1, 1895
Stenographer .....	John H. Andrews.....	2,000	do 1, 1895
do .....	Edmund T. Davis.....	2,000	do 1, 1895
do .....	Watterman L. Ormsby, Jr.	2,000	do 1, 1895
do .....	James Nugent .....	2,000	do 1, 1895
do .....	Michael J. Treacy .....	2,000	do 1, 1895
Attendant .....	Simon Klapper.....	1,200	do 1, 1895

## Court of General Sessions, New York City.

Deputy Clerk .....	Edward J. Hall .....	3,000	Oct. 1, 1872
do .....	Henry Welsh.....	3,000	Apr. 1, 1879
do .....	John P. Brophy.....	3,000	July 1, 1895
do .....	Michael D. Gallagher.....	3,000	do 1, 1895
Assistant Clerk .....	William N. Penney.....	3,000	Mar. 1, 1890
Stenographer .....	Thomas Osborn .....	2,500	July 1, 1895
do .....	Frank S. Beard .....	2,500	Jan. 1, 1886
do .....	Peter F. McLaughlin.....	2,500	Mar. 1, 1887
Interpreter.....	Philip Dollin .....	2,000	do 1, 1874
do .....	Benedetto Morossi.....	2,000	Sept. 24, 1893
Warden of Grand Jury.....	Lawrence F. Dowling .....	2,000	Jan. 7, 1895
Attendant.....	Lawrence A. Curry .....	1,200	1879
do .....	Charles Knight.....	1,200	1873
do .....	W. J. McNeil.....	1,200	1879
do .....	Thomas F. Morris.....	1,200	1874
do .....	John S. Phillips.....	1,200	1879
do .....	Peter Seaman.....	1,200	1879
do .....	Moses Weil.....	1,200	July 1, 1879
do .....	Richard Dougherty .....	1,000	do 1, 1879
do .....	Patrick Daly .....	1,000	do 1, 1879
do .....	Patrick O'Brien.....	1,000	do 1, 1881
do .....	Michael Looney.....	1,000	Jan. 17, 1890
do .....	James F. Kelly.....	1,000	do 17, 1890
do .....	John H. Hart.....	1,000	Mar. 1, 1890
do .....	Richard McLoughlin.....	1,000	do 1, 1890
do .....	Louis Schmoll .....	1,000	do 1, 1890
do .....	John Clune.....	1,000	Dec. 15, 1890
do .....	Alfred Walker .....	1,000	Feb. 1, 1892
do .....	Peter Rush.....	1,000	June 1, 1892
do .....	John O'Reilly.....	1,000	Dec. 31, 1892
do .....	Frank P. Glennan.....	1,000	.....
do .....	Thomas E. Kearney .....	1,000	Jan. 7, 1895
do .....	Robert Andrews .....	1,000	July 1, 1895
do .....	Lawrence V. C Conover, Jr.	1,000	do 1, 1895
do .....	William G. Deane.....	1,000	do 1, 1895
do .....	William Diekmann.....	1,000	do 1, 1895
do .....	Isaac Eckstein.....	1,000	do 1, 1895
do .....	Edmund R. Gibbons .....	1,000	do 1, 1895
do .....	Patrick Harnett.....	1,000	do 1, 1895
do .....	Alonzo L. Mason.....	1,000	do 1, 1895
do .....	William McCabe.....	1,000	do 1, 1895
do .....	James M. McCauley .....	1,000	do 1, 1895
do .....	Cedric Rappleye.....	1,000	do 1, 1895
do .....	Alexander Schwartz.....	1,000	do 1, 1895
do .....	Thomas Schiels.....	1,000	do 1, 1895
do .....	T. Henry Ward.....	1,000	do 1, 1895
do .....	Giles Wanamaker.....	1,000	do 1, 1895
do .....	Charles H. Wheelock .....	1,000	do 1, 1895
do .....	George W. Wylie.....	1,000	do 1, 1895
do .....	William McTaggart .....	1,000	do 1, 1895



## SCHEDULE C — (Continued).

## Court of Special Sessions, New York City.

Title of position.	NAME.	Salary.	Date of appointment.
Deputy Clerk .....	William M. Fuller.....	\$3,000	July 1, 1895
Assistant Clerk .....	William L. Trafford .....	1,500	do 1, 1895
Stenographer .....	David S. Veitch .....	2,400	Sept. 1, 1895
Interpreter.....	Gustave Simonson .....	2,000	July 1, 1895
Subpoena Clerk .....	James W. Bruick .....	1,200	do 1, 1895
do .....	Christian Schierloh .....	1,200	do 1, 1895
do .....	Cornelius Huth .....	1,200	do 1, 1895
do .....	Austin E. Woodman .....	1,200	do 1, 1895
do .....	John Hasselberger.....	1,200	do 1, 1895
do .....	Walter H. Carpenter.....	1,200	Sept. 5, 1895
do .....	Charles R. Northrup.....	1,200	do 5, 1895
Messenger .....	Herbert H. Mase.....	1,000	do 5, 1895
Attendant.....	Benjamin B. Murray.....	1,000	Oct. 16, 1895

## City Court, Brooklyn.

Deputy Clerk .....	Dennis McNamara .....	2,500	Dec. 1, 1888
Special Deputy Clerk .....	W. K. Van Valkenburgh...	1,800	May 8, 1877
do do .....	William H. Riley.....	1,800	July 1, 1879
do do .....	Charles H. Farrell .....	1,800	do 1, 1882
do do .....	Andrew Beck .....	1,800	Nov. 19, 1883
do do .....	Thomas Shevlin.....	1,800	Aug. 1, 1891
Stenographer .....	Timothy Bigelow .....	2,500	Sept. 1, 1875
do .....	John E. Norcross .....	2,500	Jan. 1, 1871
do .....	Senter H. Ormsby .....	2,500	June 1, 1891
Attendant.....	Nicholas Doyle.....	1,200	May 5, 1870
do .....	H. C. Croakright .....	1,200	Jan. 17, 1871
do .....	Patrick Nolan .....	1,200	do 5, 1885
do .....	James Shannon .....	1,200	do 4, 1887
do .....	James Donovan .....	1,200	June 15, 1887
do .....	John Spaulding .....	1,200	Feb. 14, 1889
do .....	Edward W. Grant.....	1,200	Aug. 1, 1891
do .....	Lorenzo J. Farrell .....	1,200	Mar. 7, 1892
do .....	James Flaherty.....	1,200	June 1, 1892

## District Courts, Brooklyn.

<i>First District.</i>			
Assistant Clerk .....	Thomas R. Goodwin .....	1,500	Jan. 13, 1891
do .....	Charles J. O'Neil.....	1,200	June 1, 1892
do .....	James C. McKenna .....	1,000	Mar. 1, 1894
Stenographer .....	Joseph N. B. Rawle.....	1,800	Apr. 30, 1887
Interpreter.....	Anton Brown .....	1,500	Oct. 1, 1893
<i>Second District.</i>			
Assistant Clerk .....	William W. Richards .....	1,500	Apr. 1, 1892
do .....	John J. Joyce .....	1,200	Jan. 1, 1894
Stenographer .....	Andrew E. Colvin .....	1,500	Mar. 1, 1889
Interpreter.....	Jacob F. Becker .....	1,200	July 16, 1871
Janitor .....	Peter J. Heddenberg .....	600	Oct. 1, 1893
<i>Third District.</i>			
Assistant Clerk .....	Arthur J. Higgins.....	1,500	May 1, 1888
Stenographer .....	John W. Richards.....	1,800	June 1, 1892
Interpreter.....	Emil Klebaur .....	1,200	do 30, 1888
Janitor .....	Robert Snyder .....	900	Feb. 16, 1886

## District Courts, New York City.

<i>First District.</i>			
Stenographer.....	William W. Vaughn.....	2,000	Jan. 1, 1888
Interpreter .....	Bruno Bocks .....	1,200	do 1, 1882
Attendant .....	John McGrath .....	1,000	Nov. 15, 1889
do .....	Michael Brennan .....	1,000	Dec. 1, 1892
Janitor .....	Dennis McGinty.....	900	Jan. 15, 1882

## SCHEDULE C — (Continued).

## District Courts, New York City — (Continued).

Title of position.	NAME.	Salary.	Date of appointment.
<i>Second District.</i>			
Stenographer .....	Benjamin F. Spellman.....	\$2,000	Jan. 1, 1894
Interpreter.....	Diedrich Knabe.....	1,200	do 1, 1871
Attendant.....	Hugh Taggart.....	1,000	Nov. 1, 1888
do .....	John T. Martin.....	1,000	May 20, 1889
Janitor.....	James McCullough.....	900	Sept. 1, 1881
<i>Third District.</i>			
Stenographer .....	Valencourt S. Lillie .....	2,000	Dec. 6, 1892
Interpreter.....	Joseph Weill .....	1,200	Nov. 12, 1882
Attendant.....	Michael Bergin.....	1,000	do 26, 1892
do .....	Daniel B. Murphy.....	1,000	July 17, 1893
Janitor.....	Daniel Mooney.....	900	Jan. 1, 1882
<i>Fourth District.</i>			
Stenographer .....	Caleb H. Redfern .....	2,000	Dec. 20, 1887
Interpreter.....	Joseph Roesch .....	1,200	Mar. 16, 1894
Attendant.....	Francis McNicol .....	1,000	Dec. 16, 1887
do .....	Joseph Blackgrove .....	1,000	Aug. 15, 1889
Janitor.....	Emil Beyer.....	900	do 20, 1894
<i>Fifth District.</i>			
Stenographer .....	Arthur F. Ducret .....	2,000	Jan. 31, 1885
Interpreter.....	Jacob Katz.....	1,200	Feb. 1, 1888
Attendant.....	James McAlarney.....	1,000	Jan. 1, 1882
do .....	James Laverty.....	1,000	do 1, 1888
Janitor.....	Charles J. Newman .....	900	Apr. 1, 1888
<i>Sixth District.</i>			
Stenographer .....	George C. Kiesel .....	2,000	May 7, 1894
Interpreter.....	Henry Alsheimer .....	1,200	Jan. 1, 1894
Attendant.....	Albert Goettman.....	1,000	do 12, 1894
do .....	Lawrence Collins .....	1,000	Nov. 6, 1893
Janitor.....	Hugh P. Finnigan .....	900	May 7, 1894
<i>Seventh District.</i>			
Stenographer .....	George A. Moulton.....	2,000	Jan. 1, 1882
Interpreter.....	Frederick Fischer .....	1,200	Feb. 1, 1886
Attendant.....	Edward T. Foran .....	1,000	Jan. 21, 1885
do .....	Patrick Cunningham .....	1,000	July 17, 1894
Janitor.....	William Farley .....	900	do 1, 1891
<i>Eighth District.</i>			
Stenographer .....	Thomas F. Smith .....	2,000	July 1, 1894
Interpreter.....	Henry Merzbach.....	1,200	Jan. 1, 1894
Attendant.....	William Heim.....	1,000	Mar. 7, 1888
do .....	John Nunnery .....	1,000	Jan. 1, 1894
do .....	James McDonald .....	1,000	do 1, 1894
Janitor.....	David T. Hickey .....	900	Nov. 7, 1892
<i>Ninth District.</i>			
Stenographer .....	Edward M. Ryan.....	2,000	Feb. 1, 1893
Interpreter.....	John Theiss .....	1,200	do 17, 1888
Attendant.....	Charles L. Lambert.....	1,000	do 17, 1888
do .....	James Farrell.....	1,000	Oct. 1, 1887
Janitor.....	John Golden .....	900	Nov. 18, 1892
<i>Tenth District.</i>			
Stenographer .....	Charles F. Tinkham .....	2,000	Jan. 1, 1892
Interpreter.....	Robert Vollbrecht .....	1,200	Feb. 1, 1895
Attendant.....	Joseph H. Batey .....	1,000	Jan. 1, 1892
do .....	Wm. H. Burgoyne .....	1,000	Feb. 27, 1895
Janitor.....	Michael J. Sullivan .....	900	Dec. 14, 1893
<i>Eleventh District.</i>			
Stenographer .....	William C. Booth .....	2,000	Jan. 1, 1896
Interpreter.....	Martin Senger .....	1,200	do 1, 1885
Attendant.....	Cornelius Foley.....	1,000	April 1, 1887
do .....	Thomas Campbell .....	1,000	Jan. 13, 1894
Janitor.....	Patrick Sexton.....	900	do 1, 1885



## PERSONS HOLDING POSITIONS IN SCHEDULE D.

## Department of Comptroller.

Title of position.	NAME.	Salary.	Date of appointment.
Watchman.....	Patrick H. White .....	\$2 per night.	April 1, 1894

## Department of Treasurer.

Watchman.....	Augustus Sullivan .....	\$900	June 1, 1894
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## Insurance Department.

Watchman .....	John F. Kennedy.....	1,080	Dec. 8, 1894
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## Department of Public Instruction.

Porter .....	Aaron J. Oliver ....	720	July 1, 1887
do .....	Howard B. Terrell .....	900	April 8, 1895
do .....	Barton A. Whitford.....	720	June 1, 1895

## Fisheries, Game and Forest Commission.

Chief Protector.....	J. Warren Pond.....	2,000	April 25, 1895
Assistant Chief Protector.....	John E. Leavitt .....	1,200	May 7, 1895
do do .....	M. C. Werts.....	1,200	do 29, 1895
Oyster Protector.....	Sebastian Hesbach.....	1,200	do 29, 1895
do .....	Edgar Hicks .....	1,000	June 13, 1895
Protector and Forester .....	Willett Kidd .....	500	April 25, 1895
do do .....	Spencer Hawn .....	500	do 25, 1895
do do .....	Joseph Northup.....	500	do 25, 1895
do do .....	James W. Littlejohn.....	500	May 7, 1895
do do .....	Emmet J. Lobdell .....	500	do 7, 1895
do do .....	Alvin Winslow .....	500	do 7, 1895
do do .....	Eugene Hathaway.....	500	do 7, 1895
do do .....	Daniel N. Pomeroy .....	500	do 7, 1895
do do .....	Wallace L. Reed.....	500	do 20, 1895
do do .....	Lester S. Emmons .....	500	do 29, 1895
do do .....	George Carver .....	500	do 29, 1895
do do .....	Fletcher S. Beede.....	500	Oct. 8, 1895
do do .....	B. H. McCullom.....	500	do 8, 1895
do do .....	Barnard Salisbury.....	500	Aug. 8, 1895

## Department of Adjutant-General.

Keeper Military Bureau .....	Charles P. Case .....	720	April 1, 1888
Janitor Military Bureau .....	James Loftus .....	720	Jan. 6, 1893

## Department of Chief of Ordnance.

Watchman and Janitor .....	Moses P. Ross.....	840	Aug. 1, 1881
Watchman State Camp.....	James M. Hughes.....	600	do. 1, 1883

## Department of Quarantine Commission.

Fireman .....	Owen Williams .....	480	Sept. 6, 1895
do .....	G. M. Sofield.....	480	do 6, 1895
Cook .....	Kate Barron .....	240	Dec. 1, 1894
do .....	James Simpson .....	480	Feb. 1, 1895
Boatman .....	Michael Bannon .....	750	do 1, 1893.
do .....	John Costigan.....	750	May 1, 1888
Carpenter .....	Henry Vought .....	900	July 8, 1895.



THIRTEENTH REPORT OF THE  
SCHEDULE D — (Continued).

Department of Health Officer, Port of New York.

Title of position.	NAME.	Salary.	Date of appointment.
Shipkeeper .....	James O'Rourke .....	\$720	June 1, 1885
Fireman .....	John H. Elzer .....	600	Feb. 1, 1890
do .....	Mathias Brady .....	600	July 18, 1893
do .....	Patrick McGork .....	600	May 1, 1893
Fumigator .....	Thomas Taylor .....	900	Sept. 15, 1892
Nurse .....	Hugo Ehrenthal .....	720	Aug. 1, 1893
do .....	Irving S. Kingsley .....	720	do 12, 1893
do .....	Henry McLaury .....	720	do 12, 1893
do .....	Juliette Henshon .....	720	do 1, 1893
Watchman .....	John W. Donnelly .....	360	May 1, 1893
do .....	Chas. G. Lindars .....	600	Apr. 1, 1893
do .....	Daniel C. Dean .....	600	Apr. 11, 1888

Department of Public Buildings.

Porter .....	John Burns .....	540	Jan. 1, 1892
do .....	Alfred Dana .....	540	Oct. 1, 1893
do .....	W. B. Duane .....	540	Feb. 1, 1894
do .....	H. B. Franklin .....	540	June 1, 1883
do .....	Henry Pickney .....	540	Jan. 1, 1892
do .....	A. P. Simpson .....	540	do 1, 1894
do .....	William Beach .....	540	.....
do .....	Thomas J. Campbell .....	600	.....
do .....	William Wilson .....	540	.....
do .....	Stephen Myers .....	540	.....
do .....	Charles S. Shelvey .....	540	.....
do .....	John E. Bruce .....	540	Mar. 1, 1895
do .....	Joseph P. Smith .....	540	do 1, 1895
Porteress .....	Sarah Robinson .....	540	.....
do .....	Louisa A. Smith .....	540	June 15, 1895
Upholsterer .....	Henry Rummel .....	720	Feb. 1, 1895

Soldiers and Sailors' Home, Bath.

Matron .....	O. M. Lamberson .....	500	.....
Nurse .....	Alida T. Olmstead .....	300	June 1, 1895
do .....	Helen Myers .....	300	July 20, 1895
do .....	Mary E. Cross .....	360	.....
do .....	Ruth McKune .....	216	.....
do .....	Cora Lackey .....	180	.....
do .....	Catherine Schimley .....	180	.....
Electrician .....	Fred Davison .....	420	.....
Lineman .....	Anthony Schoenwitz .....	420	.....
Blacksmith .....	Frank Rohan .....	480	.....
Steamfitter .....	James Collins .....	420	.....
do .....	Joseph McNulty .....	420	.....
Carpenter .....	Thomas Fogarty .....	800	.....
Fireman .....	Samuel Ingatto .....	420	.....
do .....	Charles Huber .....	420	.....
do .....	George Howell .....	420	.....
do .....	Edward Crocker .....	420	.....
do .....	George Barber .....	540	Apr. 1, 1895
do .....	August Beckhorn .....	540	Mar. 12, 1895
do .....	William Sweeney .....	540	Sept. 1, 1895
Cook .....	F. C. Rich .....	600	.....
do .....	Joseph McGuire .....	600	Mar. 1, 1895
do .....	Albert Lane .....	240	Apr. 1, 1895
Mason .....	George Didaker .....	\$3 a day	Apr. 1, 1895

Onondaga Salt Works.

Chief Engineer .....	Thomas Lane .....	\$1,200	Mar. 1, 1883
Chief Inspector .....	John O'Donnell .....	1,200	Mar. 1, 1883
Chief Barrel Inspector .....	Charles Demong .....	840	Mar. 1, 1883
Inspector .....	Peter Therre .....	600	do 1, 1883
do .....	Adam Axtman .....	600	do 1, 1883
Assistant Inspector .....	John Mahan .....	600	do 1, 1883
do .....	James Brennan .....	600	May 1, 1883

## SCHEDULE D — (Continued).

## Onondaga Salt Works — (Continued).

Title of position.	NAME.	Salary.	Date of appointment.
Assistant Inspector .....	John F. Davin .....	\$600	June 1, 1885
do .....	N. Enders .....	600	July 1, 1884
do .....	Silas Duell .....	600	Mar. 1, 1883
do .....	Lawrence Madden .....	600	do 1, 1887
do .....	M. Butler .....	600	do 1, 1883
Overseer of Pumps .....	Samuel Hurst .....	600	Apr. 1, 1884
Overseer of Aqueducts .....	M. F. Woods .....	660	May 1, 1885
Assistant Overseer .....	John Marra .....	600	do 1, 1886
Receiver .....	Charles Parker .....	500	Mar. 1, 1883
do .....	John Scanlon .....	540	do 1, 1883
Supervisor .....	John Regan .....	480	do 1, 1889
Engineer .....	John Joy .....	15c. an h'r	May 1, 1883
do .....	Michael Carroll .....	15c. an h'r	do 1, 1883
do .....	Albert Pero .....	15c. an h'r	Apr. 1, 1894
do .....	Mathew Hogan .....	15c. an h'r	May 1, 1894
do .....	M. Ryan .....	15c. an h'r	Apr. 1, 1884
do .....	O. Yonker .....	15c. an h'r	do 1, 1883
do .....	Andrew Mahl .....	15c. an h'r	do 1, 1887
do .....	John Meagher .....	15c. an h'r	Mar. 1, 1888
do .....	James Meehan .....	15c. an h'r	do 1, 1887
do .....	Timothy Shine .....	15c. an h'r	do 1, 1887
do .....	Frank O'Neill .....	15c. an h'r	do 1, 1891
do .....	Thomas Gleason .....	15c. an h'r	do 1, 1891
do .....	William Blust .....	15c. an h'r	do 1, 1891
do .....	Michael Newport .....	15c. an h'r	July 1, 1884

## Elmira Reformatory.

Overseer .....	John Bigley .....	\$600	June 13, 1886
do .....	C. A. McCollum .....	900	May 21, 1895
Machinist .....	G. W. Patterson .....	900	July 24, 1893
Cook .....	C. Burnonville .....	720	Oct. 12, 1895
Farmer .....	J. S. McNish .....	600	Jan. 15, 1895
Fireman .....	A. Wolff .....	360	July 1, 1895
Gardener .....	G. W. Cleary .....	600	Mar. 10, 1890
Watchman .....	P. O. Rickey .....	600	Jan. 15, 1880
do .....	W. Lazenby .....	540	Sept. 9, 1890
do .....	P. D. Fuller .....	480	do 21, 1891
do .....	F. H. Brink .....	480	May 2, 1894
do .....	Daniel Loid .....	480	July 5, 1890
do .....	G. W. Smith .....	456	May 1, 1893
do .....	P. O'Rourke .....	456	Apr. 9, 1892
do .....	A. E. Clark .....	420	Aug. 31, 1893

## State Industrial School, Rochester.

Assistant in Storeroom .....	Jessie L. Sornborger .....	300	Sept. 1, 1894
Nurse .....	Augusta Herau .....	300	June 1, 1892
do .....	Eleanor M. O'Donoghue .....	300	Jan. 1, 1895
Housekeeper .....	Sarah Jackson .....	300	do 31, 1893
do .....	Ella B. Deitz .....	300	Mar. 1, 1895
do .....	Mrs. E. P. Wallace .....	300	May 1, 1892
Officer .....	Charles R. Tripp .....	420	Apr. 1, 1894
do .....	Fred B. Raymond .....	660	Nov. 1, 1894
do .....	Edw. S. Jackson .....	540	Dec. 1, 1891
do .....	William E. Cummings .....	360	Oct. 1, 1894
do .....	A. I. Howard .....	420	Sept. 5, 1894
do .....	Thomas Murphy .....	360	Dec. 19, 1894
do .....	Durfee W. Smith .....	360	Apr. 1, 1895
do .....	Judson H. Hurley .....	720	Aug. 2, 1889
do .....	Mrs. E. S. Reilly .....	180	Mar. 19, 1895
do .....	Mrs. H. J. Palmer .....	300	Sept. 10, 1889
do .....	Mrs. H. Pierson .....	300	Dec. 24, 1892
do .....	Catherine O'Leary .....	300	Oct. 19, 1894
do .....	Martha McAllister .....	180	Apr. 18, 1895
do .....	Margaret Hickey .....	180	do 18, 1895
do .....	Mrs. M. E. Mullen .....	252	June 23, 1895
do .....	Conrad Martin .....	360	July 12, 1895
do .....	Miss B. McBride .....	252	June 15, 1895



## THIRTEENTH REPORT OF THE

## SCHEDULE D — (Continued).

## State Industrial School, Rochester — (Continued).

Title of position.	NAME.	Salary.	Date of appointment.
Officer .....	H. J. Doane .....	\$540	Aug. 17, 1895
do .....	Josiah S. McLaughlin.....	360	Oct. 15, 1895
do .....	Michael O'Donnell.....	360	do 16, 1895
do .....	Henry J. Bauer .....	360	Nov. 2, 1895
do .....	Miss M. F. O'Loughlin .....	250	Oct. 1, 1895
do .....	Thomas J. Keady.....	360	Nov. 20, 1895
do .....	H. O. Baldwin.....	360	do 20, 1895
do .....	George E. Bingham.....	360	do 20, 1895
do .....	John L. Budlong .....	360	do 20, 1895
do .....	Calvin M. Gilman .....	360	Dec. 1, 1895
do .....	B. L. Burleigh.....	360	Oct. 19, 1894
Attendant.....	Maud M. Sanford .....	240	Sept. 26, 1895
Dentist.....	Louis H. Gilbert.....	500	Aug. 1, 1894
Patrolman .....	James Robertson .....	650	June 1, 1892
Gateman .....	William P. Corrin.....	540	July 1, 1879
Nightwatch .....	John R. McKindley .....	480	Nov. 8, 1893
Superintendent Kitchen.....	Mrs. Jennie D. Johnson....	360	Aug. 6, 1894
Milk Sterilizer .....	Mrs. C. Phillips.....	300	May 30, 1894
Bookbinder .....	James Sinclair .....	\$2 per day	Apr. 1, 1895
Caretaker .....	Helen A. Keogh.....	\$480	Oct. 1, 1891
do .....	C. L. Collson .....	480	Apr. 27, 1892
do .....	M. E. Lyke.....	300	Jan. 4, 1894
do .....	Ella A. Platte .....	300	Aug. 1, 1892
do .....	Ada B. Knowles.....	120	Dec. 1, 1894
do .....	Emily Killick.....	300	Apr. 27, 1891
do .....	Catherine Kelly.....	300	Dec. 1, 1887
do .....	Alice S. Barnes.....	300	June 1, 1891
do .....	Mrs. E. Northrup .....	300	Oct. 23, 1890
do .....	Mrs. A. M. Benton .....	300	June 6, 1891
do .....	Clare L. Bleiler .....	180	Mar. 14, 1895
do .....	Miss S. Edmondson .....	180	Mar. 19, 1895
do .....	Ira L. Hardenbrook....	180	Oct. 1, 1895
Cook .....	Fred M. Bauer .....	300	Sept. 25, 1894
do .....	Mrs. M. A. Bauer.....	300	Oct. 1, 1894
do .....	E. A. Streker.....	540	Apr. 1, 1895
do .....	Mary F. Hurn.....	300	Jan. 7, 1895
do .....	Miss E. Milliken.....	300	June 15, 1895
do .....	Delia Johnson.....	300	Aug. 16, 1895
Farm Guard .....	L. A. Reilly.....	540	July 5, 1895
Superintendent of Hospital.....	Nellie O'Donohugh. ....	360	June 15, 1895
Assistant Storekeeper .....	F. F. Freeman .....	600	Sept. 21, 1895

## House of Refuge for Women, Hudson.

Supervisor .....	Mary M. Ackley.....	420	Apr. 1, 1890
do .....	Melissa C. Patton .....	800	Nov. 4, 1891
do .....	Margaret McRoberts.....	800	May 1, 1893
do .....	Clara Whitmarsh .....	500	Dec. 1, 1888
do .....	Emma A. Vary.....	500	June 1, 1888
do .....	Elizabeth Caldwell.....	500	do 1, 1888
do .....	Delia G. Ray.....	500	Oct. 1, 1890
do .....	Elizabeth A. Coventry .....	500	May 1, 1893
do .....	Jane A. Winslow.....	500	Oct. 23, 1891
Assistant Supervisor.....	Alice M. Davis .....	300	Aug. 22, 1895
do .....	Margaret E. Keefe .....	360	Oct. 1, 1892
do .....	Mary Vallette .....	300	do 21, 1895
do .....	Mary K. Shultz.....	300	Dec. 20, 1893
do .....	Ella M. Quiggle.....	360	Oct. 15, 1893
do .....	Mary J. Cook .....	500	Feb. 15, 1890
do .....	Emma A. Freleigh.....	300	Oct. 23, 1891
do .....	Susan Reynolds.....	300	July 1, 1892
do .....	Annie C. Ackly.....	300	May 15, 1893
do .....	Almira Moody.....	300	June 1, 1892
do .....	Emily R. Haner.....	300	Jan. 1, 1894
do .....	Sarah F. Nelson.....	300	May 1, 1893
do .....	Marguerite Tobin.....	300	Oct. 21, 1895
do .....	Carrie W. McKenzie .....	360	Mar. 1, 1893
do .....	Caroline A. Sleight.....	300	July 20, 1894
do .....	Mary A. Pratt.....	300	Nov. 1, 1888
do .....	Mary E. Van Duzen.....	300	Sept. 20, 1890



## SCHEDULE D — (Continued).

## House of Refuge for Women, Hudson — (Continued).

Title of position.	NAME.	Salary.	Date of appointment.
Assistant Supervisor.....	Julia B. Rider.....	\$300	Oct. 1, 1895
do .....	Sarah E. Henry.....	300	Nov. 20, 1893
do .....	Ella Herne .....	300	Sept. 23, 1894
do .....	Fannie E. Balis .....	300	do 15, 1894
do .....	Alice M. Bushnell .....	300	Oct. 15, 1895
do .....	Lizzie R. Rankin.....	300	Dec. 1, 1895
do .....	Anna Heermance.....	300	do 14, 1895
do .....	Frocene Brolly.....	300	do 14, 1895
Relief Officer.....	Abbie F. Parker.....	300	Nov. 19, 1894
do .....	Sarah B. Aldcroft.....	300	Jan. 1, 1892
do .....	Mary E. Dewey.....	300	Nov. 1, 1891
Watchman.....	John Dolan.....	540	May 6, 1886
do .....	William Winslow.....	540	Aug. 15, 1891
do .....	Chauncey Hallenbeck.....	540	June 13, 1893
do .....	Robert Dormandy.....	540	Oct. 1, 1893
do .....	Patrick Connor.....	540	do 1, 1893
do .....	C. L. McArthur.....	540	Sept. 14, 1895
do .....	Fred Labin.....	540	Oct. 1, 1895
Fireman .....	Edward Thornton.....	660	Dec 14, 1895
do .....	Samuel Montgomery.....	660	Oct. 12, 1889
do .....	George E. Harvey.....	660	do 8, 1891
do .....	James Arkinson.....	660	Nov. 21, 1893

## House of Refuge for Women, Albion.

Storekeeper.....	Florence E. Greene.....	300	Oct. 1, 1894
Assistant Matron.....	Annie F. McMahon .....	300	Dec. 1, 1893
do .....	Mary L. McShea.....	300	do 1, 1893
do .....	Mary E. Morehouse.....	300	Mar. 1, 1894
do .....	Elizabeth Gledde.....	300	Aug. 1, 1894
do .....	Mary A. Dudley.....	360	Nov. 1, 1895
Supervisor .....	Laura Chamberlain.....	300	June 1, 1895
Housekeeper.....	Louise S. Thompson.....	300	do 1, 1895
do .....	Ella R. Wood.....	420	Sept. 9, 1895
Watchman.....	Patrick Sullivan.....	420	Dec. 1, 1894
Laundry instructor.....	Kate E. Kearney .....	300	June 1, 1895
Carpenter.....	William D. English.....	850	Aug. 1, 1895
Nurse .....	Elizabeth Walden .....	300	Apr. 1, 1894
Fireman.....	Eugene Mahoney.....	480	Nov. 1, 1893
do .....	William Neilson.....	480	do 1, 1893

## State School for the Blind, Batavia.

Assistant Matron.....	Susan Anderson.....	300	July 1, 1877
do .....	Sarah Chick.....	300	June 1, 1880
Housekeeper.....	Elizabeth D. Thwing.....	300	Jan. 1, 1894
Storekeeper.....	John G. Shultz.....	480	Oct. 1, 1894
Attendant.....	Kate E. McCann.....	225	Sept. 1, 1882
Watchman .....	Patrick McDonald.....	540	do 1, 1893
Janitor.....	E. M. Hutchinson.....	420	Jan. 2, 1895
Seamstress.....	Teresa Casey .....	\$1 a day	Apr. 1, 1895
Florist .....	James Conway.....	\$600	Oct 1, 1894
Baker .....	Lucius Baker.....	480	Sept. 1, 1893
Carpenter.....	A. F. Geiger.....	540	do 1, 1893
Cook .....	Julia Ryan.....	270	do 1, 1882
do .....	Nellie Enright.....	360	Oct. 1, 1893
Laundress .....	Anna Hannon.....	180	Sept. 1, 1868
do .....	Honora Houlihan.....	\$1 a day	April 1, 1895
do .....	Lena Maurer.....	\$144	Sept. 1, 1894
do .....	Lucy A. Delahunt.....	144	Dec. 17, 1895

## Institution for Feeble-Minded Children, Syracuse.

Assistant Matron.....	Louise B. Richards.....	400	Nov. 1 1888
do .....	Emma E. Loskey.....	400	Jan. 16, 1891
Supervisor .....	James A. Sheldon.....	420	Feb. 18, 1890
do .....	Lydia A. Sheldon.....	180	Oct. 1, 1878
do .....	Anna C. Frezon.....	216	Nov. 1, 1885

## SCHEDULE D — (Continued).

## Institution for Feeble-Minded Children, Syracuse — (Continued).

Title of position.	NAME.	Salary.	Date of appointment.
Supervisor.....	Minnie L. Stansell.....	\$216	Aug. 31, 1893
do .....	Flora E. Martin.....	192	Apr. 8, 1895
do .....	Annie L. Palmer.....	168	July 1, 1895
do .....	Rose Lundy.....	168	Dec. 1, 1895
do .....	Emily R. Murzies.....	144	do 30, 1895
do .....	Willieanna Burch.....	180	do 30, 1895
Supervisors .....	Frederick H. Bristow and wife .....	540	July 15, 1893
Housekeeper.....	Alice M. Palmer.....	360	Nov. 7, 1892
Storekeeper.....	Clarence A. Perry.....	600	Sept. 19, 1894
Cook .....	Ellen Roach.....	216	Dec. 16, 1883
do .....	Ellen Healey.....	168	Aug. 25, 1891
do .....	Joanna Buckley.....	192	May 16, 1893
do .....	May McDonald.....	156	Mar. 1, 1887
do .....	Lizzie Ryan.....	156	Sept. 20, 1892
do .....	Bridget McDonald.....	144	do 1, 1881
do .....	Maggie McNally.....	144	Nov. 6, 1893
do .....	Annie Cunneif.....	132	May 10, 1892
Laundress .....	Maggie Dooling.....	192	Sept. 1, 1889
do .....	Julia Dillon.....	144	Mar. 29, 1880
do .....	Mary Crough.....	144	Feb. 16, 1895
do .....	Joanna Ryan.....	144	Jan. 14, 1887
do .....	Mary Clark.....	132	Sept. 1, 1893
do .....	Mary C. Ryan.....	132	May 6, 1895
Office Girl.....	Nellie Finkbeiner.....	168	do 1, 1895
Hall Girl.....	Elizabeth Schneider.....	120	Feb. 16, 1895
do .....	Lena Spies.....	132	Jan. 31, 1895
Nurse.....	Fannie Brooks.....	216	June 20, 1893
do .....	Mary Seeley.....	180	Oct. 1, 1894
do .....	Harriet Hathaway.....	216	Aug. 29, 1891
do .....	Mary A. Bonner.....	132	Nov. 27, 1877
Carpenter.....	Charles Finkbeiner.....	600	May 1, 1880
Baker.....	Joseph Hullar.....	600	July 1, 1887
Gardener.....	George Ham.....	540	Oct. 1, 1886
Farmer.....	Stephen Winchell.....	420	Apr. 1, 1893
Nightwatch .....	Belle Erwin.....	216	Dec. 1, 1891
do .....	Maggie Norris.....	180	do 3, 1889
do .....	John H. Carrier.....	480	May 1, 1884
Fireman.....	Harry Grevelding.....	480	June 1, 1895
do .....	Daniel Humberstone.....	540	Sept. 29, 1893
Shoemaker.....	Charles F. Snyder.....	510	do 1, 1890
Cloakmaker.....	Susan Hopkins.....	180	May 1, 1893
Hosemaker.....	Anna F. Erwin.....	168	July 1, 1891
Tailoress .....	Mary O'Brien.....	240	Feb. 1, 1893
Seamstress.....	Annie Dolan.....	144	do 1, 1883
do .....	Annie Higgins.....	156	July 22, 1891
do .....	Kittie Carroll.....	132	Feb. 16, 1895
do .....	Lillie Hatch.....	192	Mar. 11, 1895
do .....	Hattie Wagner.....	144	May 1, 1895
Usher .....	Joanna L. Hayes.....	180	June 1, 1887
Attendant.....	Louisa Friers.....	168	Sept. 19, 1891
do .....	Delia Steinmeitz.....	168	do 28, 1891
do .....	Katie Cunnieff.....	156	Feb. 28, 1888
do .....	Mary A. Boyle.....	132	Sept. 10, 1893
do .....	Ellen Woodruff.....	132	Aug. 13, 1891
do .....	Mary McDonnell.....	132	Oct. 3, 1879
do .....	Bridget Hayden.....	132	Mar. 31, 1890
do .....	Addie Johnston.....	156	May 30, 1891
do .....	Ann See.....	132	do 12, 1892
do .....	Bridget Healey.....	132	Oct. 1, 1892
do .....	Nellie Bristol.....	132	Mar. 14, 1893
do .....	Mary Cavanaugh.....	132	May 16, 1893
do .....	Rebecca E. Calliss.....	132	Sept. 28, 1893
do .....	Mary F. Long.....	132	do 25, 1893
do .....	Catherine Kiley.....	132	Aug. 22, 1894
do .....	Walter S. Rand.....	324	Feb. 17, 1881
do .....	Thomas F. Grant.....	276	July 24, 1884
do .....	Frederick J. Cooper.....	252	do 15, 1891
do .....	John Reynolds.....	240	Mar. 12, 1894
do .....	Martin D. Larkin.....	240	June 27, 1892
do .....	John Callahan.....	240	Apr. 7, 1892
do .....	Abbie Howard.....	132	Oct. 1, 1894



## SCHEDULE D — (Continued).

## Institution for Feeble-Minded Children, Syracuse — (Continued).

Title of position.	NAME.	Salary.	Date of appointment.
Attendant .....	Sarah A. O'Reilly .....	\$120	Jan. 7, 1895
do .....	Mary A. Brennan .....	120	Apr. 22, 1895
do .....	Florence L. Phillips .....	144	May 16, 1895
do .....	Katherine Dolan .....	120	do 21, 1895
do .....	Fannie P. Chamberlain .....	180	June 1, 1895
do .....	Nellie Jenks .....	144	Aug. 24, 1895
do .....	Minnie E. Taylor .....	132	Dec. 30, 1895

## Custodial Asylum, Rome.

Storekeeper .....	Charles Phillips .....	540	May 7, 1895
Supervisor .....	Elizabeth Esenwine .....	360	Jan. 1, 1895
Fireman .....	Robert Harper .....	480	do 1, 1895
do .....	Joseph Burke .....	480	do 1, 1895
Cook .....	M. G. Holleron .....	240	do 1, 1895
do .....	Margaret Boyle .....	216	Nov. 7, 1895
Seamstress .....	Sara Hinman .....	240	Jan. 1, 1895
do .....	Minnie A. Wheeler .....	180	June 1, 1895
Head Farmer .....	Thomas Holleron .....	600	Jan. 1, 1895
Laundress .....	Ella M. Armstrong .....	216	do 11, 1895
Baker .....	John Grass .....	240	Feb. 1, 1895
Nightwatch .....	Henry Iseneker .....	360	Mar. 31, 1895
do .....	Emma Stapleton .....	240	Oct. 20, 1895
Carpenter .....	George C. Bissee .....	480	do 1, 1895
Painter .....	H. S. Putnam .....	480	Dec. 2, 1895
Attendant .....	Katie Beck .....	168	Jan. 1, 1895
do .....	Edwin J. Hughes .....	360	do 1, 1895
do .....	Frank Fisher .....	264	do 1, 1895
do .....	Charles Sullivan .....	300	do 1, 1895
do .....	John McMahon .....	360	do 1, 1895
do .....	George Peglow .....	300	do 1, 1895
do .....	Henry Lanfer .....	264	do 1, 1895
do .....	Sarah Sanderson .....	168	do 1, 1895
do .....	Julia Culley .....	216	do 1, 1895
do .....	Annie Jones .....	180	do 1, 1895
do .....	Minnie Pierce .....	240	do 1, 1895
do .....	Nettie B. Greenia .....	192	do 1, 1895
do .....	Julia Brennan .....	168	do 1, 1895
do .....	Katherine Schiess .....	168	do 1, 1895
do .....	Tinnie Armstrong .....	168	Feb. 3, 1895
do .....	Helen L. Burch .....	168	Mar. 5, 1895
do .....	Fannie Armstrong .....	168	do 15, 1895
do .....	Bessie Lynch .....	168	do 15, 1895
do .....	Charles Beck .....	240	Apr. 30, 1895
do .....	Charles Barber .....	240	do 30, 1895
do .....	Charles H. Wilson .....	240	July 1, 1895
do .....	Mrs. M. F. Hinckley .....	168	Sept. 11, 1895
do .....	Myra E. Brown .....	168	Dec. 1, 1895
do .....	W. W. Foster .....	240	do 10, 1895

## Craig Colony.

Farmer .....	Paul R. Kingston .....	600	July 2, 1895
Cook .....	Rose A. Hood .....	192	do 15, 1895
Carpenter .....	Frank H. Stevens .....	600	Aug. 15, 1895
Storekeeper .....	James A. Scott .....	480	Sept. 15, 1895

## Thomas Orphan Asylum.

Cook .....	Celia Hackett .....	250	May 1, 1895
Seamstress .....	Bissir Brown .....	208	Apr. 15, 1895
do .....	Carrie M. Sisson .....	208	Oct. 1, 1895
Attendant .....	Halla Wells .....	208	Apr. 24, 1893
do .....	Gladys Hammon .....	208	do 15, 1895
do .....	Agnes Reynolds .....	208	June 1, 1895
do .....	Roxy Bennett .....	208	Oct. 1, 1895



THIRTEENTH REPORT OF THE  
SCHEDULE D — (Continued).  
Custodial Asylum, Newark.

Title of position.	NAME.	Salary.	Date of appointment.
Supervisor .....	Gertrude Hoxie.....	\$216	Apr. 2 1887
do .....	Amelia Sautter .....	216	Aug. 9, 1893
Baker .....	Maggie Weaver .....	300	Nov. 1, 1885
Cook .....	Agnes Gallagher.....	192	do 1, 1894
do .....	Lena Fischer.....	192	June 29, 1891
do .....	Maggie Merrick.....	180	Nov. 20, 1893
Gardener.....	George Schaich.....	720	Jan. 20, 1891
Carpenter . .....	W. H. Pettis.....	500	Apr. 1, 1893
Nurse .....	Sarah J. Page.....	180	Jan. 2, 1894
Laundress.....	Emma Tucker .....	216	June 1, 1891
do .....	Josephine McCulloch.....	216	Jan. 20, 1893
Seamstress.....	Flora Frech.....	192	do 2, 1890
do .....	Dora Tryon .....	168	Apr. 1, 1893
Storekeeper.....	Kate J. Rahill.....	480	Oct. 1, 1894
Assistant Storekeeper .....	Margaret Rahill.....	300	do 1, 1894
Fireman .....	James Dewey .....	480	Aug. 1, 1889
do .....	John Dusenberry .....	480	Oct. 1, 1893
do .....	John G. Kaupp .....	480	do 16, 1895
Attendant .....	Sarah Erwin .....	198	do 1, 1889
do .....	Mary E. Husted.....	198	Nov. 1, 1891
do .....	Ella Travers .....	120	do 5, 1894
do .....	Lena Converse.....	144	May 24, 1892
do .....	Ella Garlock .....	132	Dec. 11, 1893
do .....	Adele Rogers .....	144	Aug 17, 1893
do .....	Mary Lovejoy.....	144	July 30, 1894
do .....	Phoebe Genthner .....	132	Sept. 1, 1891
do .....	Lizzie Mills.....	120	Aug. 15, 1894
do .....	Anna Berrigan. ....	120	Sept. 3, 1894
do .....	Loneva Westfall.....	120	Oct. 1, 1895
do .....	Lena Herman.....	132	May 7, 1894
do .....	Jessie Bothwick.....	132	Apr. 1, 1891
do .....	Ida Clark .....	120	Oct. 4, 1894
do .....	Fannie Thorn.....	120	Nov. 1, 1894
do .....	Josephine C. Parks.....	186	do 12, 1894
do .....	Nellie Engels.....	120	Jan. 18, 1895
do .....	Sarah Merrick .....	120	do 22, 1895
do .....	Mary S. Kester.....	144	Feb. 1, 1895
do .....	Jessie Silliman.....	132	Mar. 18, 1895
do .....	Anna E. Utter.....	144	July 15, 1895
do .....	Bernice M. Shirtz .....	120	do 15, 1895
do .....	Gertrude G. Lally.....	120	Sept. 14, 1895
do .....	Minnie Goetsche.....	120	do 15, 1895
do .....	Carrie Perduyn .....	120	do 17, 1895
do .....	Alderett C. Godell.....	180	Nov. 20, 1895

Matteawan State Hospital.

Supervisor .....	William H. Sambells.....	540	Nov. 21, 1887
Storekeeper.....	George H. Cooper.....	360	Sept. 19, 1894
Steamfitter .....	Walter Cookson .....	500	Oct. 21, 1894
Nightwatch .....	John J. Walsh .....	564	Nov. 4, 1886
Carpenter .....	David Morris.....	842	do 17, 1884
do .....	Richard F. Ryan .....	530	Aug. 20, 1893
Farmer .....	James Hancock.....	600	Sept. 10, 1888
Baker .....	Jarvis Haight.....	456	Oct. 1, 1895
Tailor .....	John P. Henkes.....	420	Sept. 9, 1895
Laundryman .....	Owen Gavigan.....	396	Oct. 11, 1880
Cook .....	Mary Kiely .....	228	Dec. 2, 1893
do .....	Theo. Davis .....	600	Sept. 25, 1886
do .....	Thomas Smith.....	504	do 22, 1893
Fireman .....	Patrick Toomey .....	400	Oct. 24, 1893
do .....	Michael J. Halligan.....	400	Jan. 12, 1895
do .....	Chas. Mackin .....	400	May 28, 1893
do .....	John Balman .....	400	do 18, 1895
Attendant.....	William Kelly.....	408	May 1, 1886
do .....	James Coyle .....	396	Jan. 14, 1888
do .....	Patrick Ward.....	360	May 2, 1891
do .....	Patrick Russell.....	348	July 29, 1890
do .....	William Nolen .....	336	Nov. 23, 1891
do .....	Patrick Flanagan.....	336	June 23, 1890

## SCHEDULE D — (Continued).

## Matteawan State Hospital — (Continued).

Title of position.	NAME.	Salary.	Date of appointment.
Attendant.....	Michael Vaughn.....	\$336	Feb. 10, 1890
do .....	Thomas Kenna .....	324	Aug. 15, 1891
do .....	Charles Russell .....	336	Dec. 20, 1891
do .....	James F. Mahar .....	324	May 20, 1892
do .....	John J. Smith.....	312	Aug. 17, 1892
do .....	Thomas Kelly.....	312	do 3, 1892
do .....	James C. Farrell.....	312	Sept. 25, 1892
do .....	Michael P. Mannix.....	300	Nov. 14, 1892
do .....	James Boyle.....	324	Apr. 12, 1893
do .....	Michael Conway.....	300	do 12, 1893
do .....	James H. Kelly.....	300	May 8, 1893
do .....	William D. Brown .....	288	Nov. 9, 1894
do .....	Peter Smeaton.....	288	Dec. 2, 1894
do .....	Jennie E. Crawford.....	204	do 21, 1894
do .....	John E. McCarroll.....	288	do 13, 1894
do .....	Frederick Schierding.....	288	Jan. 8, 1895
do .....	Catherine Ward.....	228	do 17, 1895
do .....	Jacob Ireland.....	276	Apr. 4, 1895
do .....	Anthony Lamover.....	264	do 25, 1895
do .....	John Conoby.....	288	June 30, 1893
do .....	Edward F. Murphy .....	312	July 11, 1893
do .....	John Henebery .....	300	do 19, 1893
do .....	Christopher Nulty .....	312	Oct. 1, 1893
do .....	John Hanlon.....	300	May 17, 1893
do .....	John T. Flynn.....	288	Oct. 5, 1893
do .....	John Vaughn .....	288	Nov. 1, 1893
do .....	Gregory Mullen.....	288	do 6, 1893
do .....	Michael J. Hyland.....	288	do 20, 1893
do .....	Wm. F. Russell .....	288	Dec. 6, 1893
do .....	William Leith .....	288	Jan. 25, 1894
do .....	James J. Flynn.....	288	Apr. 23, 1894
do .....	David Livingston.....	288	July 5, 1894
do .....	Thomas Mullen, Jr.....	288	do 5, 1894
do .....	Joseph Tyndall .....	288	do 8, 1894
do .....	Daniel D. Conway.....	288	do 22, 1894
do .....	Michael A. Lyons.....	300	Aug. 6, 1894
do .....	Thos. Mullen .....	288	do 11, 1894
do .....	Chas. E. Tyndall .....	288	do 20, 1894
do .....	Amanda Hess.....	300	do 30, 1888
do .....	Edward Knapp .....	264	May 2, 1895
do .....	Wm. M. O'Connor.....	264	do 6, 1895
do .....	Dory S. Cox.....	264	do 7, 1895
do .....	James McGaughein.....	264	do 18, 1895
do .....	Stephen McGraw .....	264	do 27, 1895
do .....	Harriet Hustis .....	204	do 29, 1895
do .....	James McDonald .....	276	Apr. 15, 1895
do .....	Bernard E. McGuire .....	264	June 12, 1895
do .....	Michael Hanlon.....	264	do 14, 1895
do .....	Thomas Hanlon.....	264	do 14, 1895
do .....	Geo. M. Simpson.....	264	do 20, 1895
do .....	John J. Murray .....	240	do 6, 1895
do .....	Thomas Crawford .....	264	do 27, 1895
do .....	Edward B. Tyndell.....	264	do 27, 1895
do .....	Chas. Collins .....	300	July 12, 1895
do .....	Daniel J. Lucy.....	288	do 16, 1895
do .....	Edward J. Mann.....	240	do 25, 1895
do .....	Horace G. Cox.....	240	Aug. 14, 1895
do .....	Geo W. Cullen.....	240	do 19, 1895
do .....	John W. Hyland.....	240	Sept. 1, 1895
do .....	Frances P. Scofield .....	192	do 11, 1895
do .....	John E. MacDonnell.....	240	do 14, 1895
do .....	John Butterworth .....	240	July 16, 1895
do .....	Matthew Sloan.....	240	Sept. 21, 1895
do .....	Richard Bulman .....	240	do 26, 1895
do .....	Fred Chappell.....	240	Oct 9, 1895
do .....	John A. Myer .....	240	do 10, 1895
do .....	John Dunne.....	240	do 15, 1895
do .....	William Downs.....	240	do 30, 1895
do .....	Herbert Sparks .....	240	Nov. 6, 1895
do .....	John H. Corney .....	240	do 8, 1895
do .....	William Chardavoyne.....	240	Oct. 28, 1895
do .....	Charles H. Havens.....	216	Nov. 25, 1895



## SCHEDULE D — (Continued).

## Matteawan State Hospital — (Continued).

Title of position.	NAME.	Salary.	Date of appointment.
Attendant .....	William J. Corrigan.....	\$216	Nov. 28, 1895
do .....	Chas. Melville.....	216	Dec. 4, 1895
do .....	James E. Brown .....	240	Sept. 26, 1895
do .....	Jessie F. Bennett .....	192	Nov. 19, 1895
do .....	Theophilus Humphries....	216	Dec. 28, 1895
do .....	James Vredenburg.....	216	do 29, 1895

## Auburn Prison.

Foreman Wood Working Department.	Albert Kehn.....	\$2.50 a day	Oct. 18, 1892
Foreman Wood Working Department.	F. W. Bell.....	1.75 a day	Apr. 11, 1894
Foreman Wood Finishing Department.....	Thomas Dolan.....	2.00 a day	Oct. 24, 1893
Foreman Sadlery and Harness Department.....	Peter Dalton.....	2.75 a day	June 20, 1889
Foreman Willow and Rattan Department.....	William F. King.....	75.00 a mo.	Aug. 13, 1894
Foreman Broom Department.....	H. W. Rogers.....	65.00 a mo.	do 20, 1889
Foreman Button Department .....	E. F. Kelly.....	3.25 a day	Dec. 17, 1894
Foreman Comb Industry.....	Geo T Lincoln.....	3.00 a day	Sept. 3, 1895
Assistant Foreman Comb Industry...	Edwin B. Cosgrove.....	75.00 a mo.	do 3, 1895
Foreman .....	Thomas Downs.....	2 50 a day	Aug. 15, 1895
do .....	Peter Munhall.....	2.50 a day	do 15, 1895
Machinist .....	M. R. McCartin.....	3.25 a day	Jan. 31, 1894
Assistant Matron.....	Mary A. Dowling.....	\$300	May 13, 1893
do .....	Celia Cox.....	300	do 18, 1893
do .....	Mata Moran.....	300	July 14, 1894
do .....	Nettie Squires.....	300	Mar. 8, 1894
do .....	Margaret Riley.....	300	June 20, 1894
do .....	Lulu E. Walker .....	300	do 13, 1895
do .....	Helen Carl.....	300	Nov. 13, 1894
Janitor and Gardener.....	James Creed.....	600	Mar. 1, 1894
Organist .....	Belle Scoville.....	52	Dec. 1, 1894
Attendant.....	Mary E Connor.....	420	Jan. 1, 1896
do .....	Carrie Stupp.....	300	do 1, 1896
do .....	Susie Nichols.....	300	do 1, 1896
do .....	Nora McCarthy.....	300	do 1, 1896
do .....	Alice Nolan.....	300	do 1, 1896
Watchman.....	John McGarr.....	600	do 1, 1896

## Clinton Prison.

Foreman Manufacturing Department.	Chas. W. Priest.....	1,400	May 21, 1894
Foreman Manufacturing Department.	Edmond Norris.....	\$3.00 a day	Dec. 4, 1888
Foreman Manufacturing Department.	M. Goldstein.....	3.00 a day	Apr. 10, 1894
Machinist .....	Peter Brown.....	\$900	Dec. 1, 1894
Watchman .....	Jerome E. Gay.....	600	May 7, 1892
do .....	John Ahern.....	600	Aug. 1, 1891
do .....	M. Stevenson.....	120	Dec. 1, 1889

## Sing Sing Prison.

Foreman Manufacturing Department.	Frank H. Burroughs.....	\$125 a mo.	Dec. 26, 1894
do do	Isaac A. Perry .....	1,200	June 28, 1895
do do	P. McNamara.....	125 a mo.	Apr. 1, 1894
do do	John Hayden .....	100 a mo.	Jan. 2, 1895
do do	D. A. Hughes .....	65.00 a mo.	Oct. 14, 1894
do do	John Roach .....	3.00 a day	Sept 10, 1889
do do	C. E. Salisbury.....	3.00 a day	do 1, 1891
do do	Lawrence Coogan .....	2.50 a day	July 1, 1891
do do	Jacob Lahm .....	3.00 a day	June 18, 1894
do do	F. F. Sullivan .....	3.00 a day	Jan. 11, 1893
do do	E. B. Crane .....	3.00 a day	do 23, 1895
do do	Patrick Quinn .....	5.00 a day	June 28, 1895
do do	Dennis J. McMahon.....	3.50 a day	do 28, 1895
Examiner Manufacturing Department .....	T. C. Flanagan.....	2.50 a day	do 15, 1893



## SCHEDULE D — (Continued).

## Sing Sing Prison — (Continued).

Title of position.	NAME.	Salary.	Date of appointment.
Examiner Manufacturing Department .....	Henry Murphy .....	\$75.00 a mo.	Nov. 4, 1895
Assistant Foreman .....	William H. Klein .....	80.00 a mo.	Aug. 17, 1895
Watchman Manufacturing Department .....	Edward O'Toole .....	65.00 a mo.	Sept. 1, 1889
Watchman Manufacturing Department .....	W. L. Mead .....	1.00 a day	Jan. 5, 1895
Watchman .....	Charles S. Many .....	65.00 a mo.	Dec. 14, 1895

## Binghamton State Hospital.

Supervisor .....	G. E. Stanford .....	\$528	Feb. 27, 1887
do .....	Anna Pettingill .....	480	do 25, 1882
do .....	Permelia Brown .....	400	Apr. 11, 1889
do .....	Melvin Pettingill .....	540	Nov. 9, 1881
do .....	E. E. Lowe .....	480	June 8, 1890
do .....	Lura Sinclair .....	456	Oct. 1, 1889
Storekeeper .....	J. J. Malarkey .....	550	July 30, 1894
Nurse .....	Amy E. Barlow .....	276	June 3, 1891
do .....	H. O. Berdine .....	336	Jan. 1, 1894
do .....	Clara Crozier .....	276	Feb. 12, 1892
do .....	Edna De Graw .....	276	Dec. 7, 1892
do .....	Janie Emerson .....	276	May 21, 1889
do .....	Sallie Freeze .....	288	do 30, 1890
do .....	William Hart .....	336	Jan. 24, 1891
do .....	Samuel McCormick .....	336	June 16, 1890
do .....	Cora Moses .....	276	July 30, 1892
do .....	Margaret Petticrew .....	276	Oct 5, 1893
do .....	Charles Pierson .....	336	do 11, 1892
do .....	Catherine Quinn .....	276	Mar. 10, 1888
do .....	Anna B. Rockwell .....	330	do 2, 1891
do .....	C. M. Rockwell .....	378	Nov. 17, 1890
do .....	Alice Sweeney .....	276	Feb. 13, 1890
do .....	Libbie Van Dyke .....	288	Aug. 22, 1884
do .....	Charles Crawford .....	300	Feb. 9, 1894
do .....	George Cowles .....	300	July 6, 1892
do .....	Frances Darling .....	240	Sept. 6, 1893
do .....	Amber Doran .....	240	do 28, 1893
do .....	Nellie Dunn .....	240	June 24, 1887
do .....	Margaret Dooley .....	240	Sept. 7, 1893
do .....	Margaret S. Grubb .....	252	Dec. 14, 1888
do .....	Lizzie Lucas .....	240	Feb. 15, 1894
do .....	Nelson J. Merrill .....	300	Jan. 25, 1894
do .....	E. J. Stack .....	300	Apr. 2, 1893
do .....	Olive Stanford .....	240	July 1, 1893
Watchman .....	Arthur Van Dyke .....	420	May 1, 1884
do .....	James Crawford .....	430	July 1, 1880
Chef .....	Charles Besant .....	900	Jan. 1, 1896
Cook .....	Floyd Rosenkranz .....	480	Oct. 1, 1885
do .....	Deforest Crozier .....	300	May 1, 1892
do .....	Patrick O'Brien .....	300	do 1, 1895
do .....	Fitch Knowles .....	300	Apr. 1, 1893
do .....	J. A. Stafford .....	300	June 1, 1893
do .....	Maggie Knowles .....	240	July 1, 1895
do .....	Marilla Courtright .....	240	May 1, 1892
do .....	Alida Shay .....	240	Apr. 1, 1887
do .....	Ann Shine .....	240	Jan. 1, 1890
do .....	Maggie Kernan .....	240	July 1, 1891
do .....	Hattie Catlin .....	240	Dec. 1, 1893
do .....	Maggie Hart .....	240	Oct. 1, 1893
do .....	Maggie Nagle .....	240	Dec. 1, 1895
Laundry Overseer .....	Theodore M. Downing .....	600	Feb. 1, 1886
Launderer .....	W. Eugene Potter .....	390	Sept. 1, 1889
do .....	Nelson G. Clark .....	300	July 1, 1893
Head Laundress .....	Nellie Downing .....	300	Apr. 1, 1886
Laundress .....	Nellie O'Connor .....	180	Sept. 1, 1891
do .....	Nellie Nagle .....	180	Dec. 1, 1893
do .....	Nellie Dunlea .....	180	July 1, 1892
do .....	Edith Soper .....	180	Apr. 1, 1894
do .....	Fannie Torpy .....	180	Feb. 1, 1892
do .....	Alice Valentine .....	180	July 1, 1895

## SCHEDULE D — (Continued).

## Binghamton State Hospital — (Continued).

Title of position.	NAME.	Salary.	Date of appointment.
Laundress.....	Bertha Blackman.. .....	\$180	Feb. 1, 1896
Fireman .....	Edward P. Gay.....	420	Apr. 1, 1887
do .....	Eugene Bogart.....	420	Oct. 1, 1887
do .....	Marvin Noonan .....	420	Apr. 1, 1887
do .....	D. D. Brown.....	360	May 1, 1889
do .....	John O'Connor.....	360	Apr. 1, 1891
do .....	Zina Shoemaker .....	480	do 1 1891
Plumber .....	A. L. Fitzpatrick.....	720	May 1, 1887
Head Carpenter.....	Truman Guyon .....	810	Sept. 1, 1885
Carpenter .....	E. H. Ballou .....	690	Mar. 1, 1894
do .....	Harry B. Armstrong.....	690	Feb. 1, 1885
do .....	W. D. Blatchley.....	630	June 1, 1895
Painter .....	John Shanahan .....	630	Mar. 1, 1886
Blacksmith .....	Simeon Jones.....	630	Feb. 4, 1895
Mason .....	Augustus H. Evans .....	600	May 1, 1886
Tailor .....	Fred. F. Sigler .....	600	Dec. 1, 1895
Shoemaker.....	James T. Goughary.....	600	May 1, 1888
Broommaker.....	Chas. W. Garrison .....	384	Sept. 1, 1893
Clothing Clerk.....	Adelaide Chambers.....	300	Oct. 1, 1884
Glazier .....	J. C. Anthony.....	420	Nov. 1, 1882
Photographer .....	Edward Benedict .....	384	Jan. 1, 1893
Farmer.....	James C. Armstrong .....	690	Nov. 1, 1882
do .....	James Hall.....	390	Aug. 1, 1886
Gardener.....	Joseph O'Connor .....	600	April 1, 1884
Florist.....	James Connelly.....	660	Mar. 1, 1889
Special Attendant (Painter) .....	E. J. Dressler .....	372	Jan. 1, 1895
Special Attendant (Mason) .....	James Dorsey.....	384	July 1, 1893
Attendant.....	Parmelia Anson.....	264	June 1, 1893
do .....	C. H. Archer .....	312	do 4, 1893
do .....	Charles Baker.....	300	do 1, 1895
do .....	Harry M. Boyd.....	336	Oct 23, 1890
do .....	Jessie Carmer.....	252	July 11, 1894
do .....	W. H. Clair .....	312	do 5, 1892
do .....	John Coon .....	338	Nov. 5, 1889
do .....	Viola Dennis .....	288	Oct. 3, 1891
do .....	Peter Dunn .....	378	April 22, 1892
do .....	Walter Emerson .....	300	Oct. 24, 1892
do .....	Anna Evans.....	264	July 4, 1891
do .....	F. C. Evans .....	318	June 1, 1891
do .....	Frank W. Evans .....	336	Dec. 8, 1891
do .....	James Foley .....	378	Feb. 1, 1885
do .....	James Flynn.....	378	.....
do .....	Minnie Freehil.....	300	Jan. 1, 1888
do .....	John Gailor .....	300	Oct. 26, 1892
do .....	Gertrude Gibson .....	264	Sept. 1, 1892
do .....	Edward Hannefin.....	408	Oct. 1, 1885
do .....	Bell Hardendorph.....	312	Feb. 14, 1888
do .....	Etta Hover.....	216	Jan. 1, 1887
do .....	Minnie Loughlin .....	252	Mar. 20, 1895
do .....	Mary Markham .....	300	May 1, 1890
do .....	Josephine Manning.....	300	Aug. 1, 1887
do .....	Marguerite Martz.....	240	Oct. 1, 1891
do .....	Ells McLean .....	300	April 20, 1889
do .....	Wilbert Mead .....	324	Feb. 17, 1894
do .....	Mary Meehan .....	288	do 1, 1886
do .....	Gurden Probasco .....	342	Aug. 1, 1890
do .....	Hiram Rockwell .....	366	Jan. 26, 1891
do .....	Van Ness Sherwood.....	336	Oct. 1, 1892
do .....	Iantha Sloop .....	276	July 14, 1891
do .....	Irene Sloop .....	240	do 23, 1892
do .....	Thomas T. Sullivan .....	312	June 8, 1890
do .....	Ophelia Thompson.....	264	Feb. 21, 1892
do .....	William Van Tassell .....	336	April 14, 1892
do .....	Rachel Wiswell .....	276	Jan. 20, 1891
do .....	James Young .....	312	Nov. 8, 1893
do .....	Catherine Baker.....	216	June 1, 1894
do .....	Mary Baker .....	192	do 1, 1895
do .....	Jennie Bangs .....	216	Mar. 1, 1891
do .....	Edward K. Beebe.....	276	Jan. 1, 1895
do .....	Mattie Bennett.....	174	Nov. 1, 1895
do .....	Marcus Berkley.....	288	Aug. 1, 1893
do .....	Anthony J. Blake.....	288	Jan. 1, 1894



## SCHEDULE D — (Continued).

## Binghamton State Hospital — (Continued).

Title of position.	NAME.	Salary.	Date of appointment.
Attendant .....	Thresa Blake .....	\$192	July 1, 1895
do .....	Alfred Blakeney .....	288	do 1, 1894
do .....	Charles C. Buck .....	264	Sept. 1, 1895
do .....	E. Buckman .....	288	Apr. 1, 1894
do .....	Jennie Benschoff .....	216	Nov. 1, 1893
do .....	P. J. Cavanagh .....	288	July 1, 1894
do .....	William B. Chapman .....	264	June 1, 1895
do .....	Mary Clark .....	216	do 1, 1894
do .....	George E. Cole .....	252	Sept. 1, 1895
do .....	J. L. Congdon .....	264	Apr. 1, 1895
do .....	Maud Coon .....	216	Mar. 1, 1893
do .....	Minnie Cowles .....	228	do 1, 1893
do .....	Alexander Crawford .....	288	June 1, 1886
do .....	W. J. Creagh .....	288	May 1, 1894
do .....	Lena Crawford .....	216	Apr. 1, 1894
do .....	Cornelius Cronin .....	288	July 1, 1893
do .....	Grace Cunningham .....	192	Nov. 1, 1895
do .....	Belle Dearborn .....	192	Oct. 1, 1895
do .....	Francis Ditzler .....	276	Mar. 1, 1895
do .....	Charles Donovan .....	276	May 1, 1895
do .....	Nora Dowd .....	192	Sept. 1, 1895
do .....	Johanna Dunn .....	216	May 1, 1883
do .....	Ralph Egbert .....	276	do 1, 1895
do .....	S. K. Eidson .....	192	do 1, 1895
do .....	Evan R. Evans .....	288	Nov. 1, 1893
do .....	Bertha Ferguson .....	216	July 1, 1892
do .....	Kittie Fitz Gerald .....	216	Feb. 1, 1893
do .....	Burt Finch .....	288	June 1, 1894
do .....	Lila Flood .....	204	Feb. 1, 1895
do .....	Edward Flynn .....	288	Mar. 1, 1893
do .....	Millie Ford .....	216	June 1, 1892
do .....	Fannie Freeman .....	192	May 1, 1895
do .....	Julia Freeman .....	216	Feb. 23, 1892
do .....	Rose Gere .....	216	Sept. 1, 1894
do .....	F. B. Gibson .....	288	Oct. 1, 1892
do .....	Cora Gilbert .....	216	do 1, 1894
do .....	W. J. Gilbert .....	288	do 1, 1894
do .....	Mary Gillett .....	216	do 1, 1894
do .....	Joseph B. Goulden .....	276	May 1, 1895
do .....	Minnie Grace .....	216	Oct. 1, 1894
do .....	John Griffin .....	264	Sept. 1, 1895
do .....	Nellie Griffin .....	216	May 1, 1894
do .....	Andrew Hanrahan .....	264	Apr. 1, 1895
do .....	Clara Hart .....	192	Sept. 1, 1895
do .....	Timothy Healey .....	288	Sept. 1, 1894
do .....	W. D. Heath .....	288	Jan. 1, 1896
do .....	Wm. S. Heath .....	264	Aug. 1, 1895
do .....	Mary Keating .....	216	July 1, 1894
do .....	Kate Keegan .....	216	Apr. 1, 1894
do .....	Anna Kennedy .....	192	Jan. 1, 1896
do .....	Grace Lane .....	192	Sept. 1, 1895
do .....	May Lane .....	192	do 1, 1895
do .....	Lillian La Point .....	192	June 1, 1895
do .....	Mary Lee .....	216	Sept. 1, 1894
do .....	Charles J. Lenz .....	264	June 1, 1895
do .....	Josie Lillis .....	216	Oct. 1, 1894
do .....	Belle Lloyd .....	216	Apr. 1, 1894
do .....	J. C. Loughlin .....	288	June 1, 1894
do .....	Bridget Maloney .....	192	May 1, 1895
do .....	Annabel Martin .....	192	Oct. 1, 1895
do .....	Atwood Martz .....	288	Aug. 1, 1893
do .....	W. H. Martz .....	288	July 1, 1892
do .....	Gussie Maurer .....	192	do 1, 1895
do .....	Katie McMahon .....	216	do 1, 1888
do .....	Nellie McMahon .....	216	May 1, 1894
do .....	Mary McNerny .....	228	Jan. 1, 1891
do .....	Bessie Merrill .....	192	Sept. 1, 1895
do .....	Esther Mills .....	192	Oct. 1, 1895
do .....	Edward C. Mincemoyer .....	288	do 1, 1890
do .....	Lizzie Mincemoyer .....	216	Jan. 1, 1892
do .....	Anna Moran .....	192	Oct. 1, 1895
do .....	Mame Murphy .....	216	Sept. 1, 1891



SCHEDULE D — (Continued).

Binghamton State Hospital — (Continued).

Title of position.	NAME.	Salary.	Date of appointment.
Attendant .....	Lizzie Nagle .....	\$216	Dec. 1, 1892
do .....	Thomas F. Nolan .....	288	Sept. 1, 1894
do .....	Almon L. Oliver .....	264	June 1, 1895
do .....	Mary O'Rourke .....	216	Aug. 1, 1890
do .....	J. C. Paddleford .....	264	Sept. 1, 1895
do .....	Maud Phelps.....	180	do 1, 1895
do .....	Perry V. Phillips.....	264	Mar. 1, 1895
do .....	Effa Pitkin.....	192	May 1, 1895
do .....	John Quilty.....	288	June 1, 1887
do .....	Katie Quinn.....	192	July 1, 1895
do .....	Cora Rockwell.....	216	Feb. 1, 1892
do .....	Mate Rogers .....	228	Apr. 1, 1893
do .....	Lena Ryan.....	216	June 1, 1892
do .....	Ora K. Sager.....	264	July 1, 1895
do .....	Anna Shea.....	192	May 1, 1895
do .....	John Shea .....	288	do 1, 1889
do .....	Katie Shea.....	216	June 1, 1888
do .....	Lyman Sherwood.....	264	Mar. 1, 1895
do .....	Alice Smallwood.....	216	May 1, 1893
do .....	Lewis B. Smith .....	240	Jan. 1, 1894
do .....	M. B. Smith.....	288	Aug. 1, 1887
do .....	William B. Smith.....	288	Apr. 1, 1893
do .....	Royal G. Starr.....	264	May 1, 1895
do .....	Emit Sullivan .....	264	Sept. 1, 1895
do .....	Mary Sweeney .....	192	Feb. 1, 1895
do .....	Bessie Sullivan .....	216	Jan. 1, 1890
do .....	Rose Stafford .....	180	Dec. 1, 1895
do .....	H. W. Thomas .....	264	July 1, 1895
do .....	M. L. Thompson .....	264	Aug. 1, 1895
do .....	E. G. Tyler.....	288	do 1, 1894
do .....	Lena Van Denmark.....	180	Dec. 1, 1895
do .....	Leah Webster.....	216	May 1, 1894
do .....	Delia Welch.....	216	Apr. 1, 1893
do .....	F. E. Wells.....	264	Sept. 1, 1895
do .....	C. L. White .....	288	May 1, 1893
do .....	Herman White.....	264	Aug. 1, 1895
do .....	Maggie White .....	216	Feb. 1, 1893
do .....	Erastus Wolcott .....	288	Nov. 1, 1893
do .....	Homer Wright.....	264	Oct. 1, 1895
do .....	Emma Young .....	192	May 1, 1895

Long Island State Hospital, Brooklyn.

Supervisor .....	Thomas Rooney .....	600	Oct. 1, 1895
do .....	William J. Shannon.....	780	do 1, 1895
do .....	Johanna Stack.....	360	do 1, 1895
do .....	Emily Carroll .....	360	do 1, 1895
Assistant Supervisor.....	James Platfoot .....	420	do 1, 1895
do .....	Andrew Inglis .....	324	do 1, 1895
do .....	William Dempsey.....	324	do 1, 1895
do .....	Bridget Dunn .....	240	do 1, 1895
do .....	Sarah Hatton .....	264	do 1, 1895
Tailor .....	Lewis J. Kennedy.....	264	do 1, 1895
do .....	David Fortune .....	240	do 1, 1895
do .....	Charles H. Watts .....	360	do 1, 1895
Seamstress.....	Sarah McHugh.....	168	do 1, 1895
do .....	Jennie Healey .....	144	do 1, 1895
do .....	Carrie Savage.....	240	do 1, 1895
do .....	Elizabeth Gruel .....	168	do 1, 1895
do .....	Kate Mouck.....	168	do 1, 1895
do .....	Kate Kivlan.....	216	do 1, 1895
do .....	Mary O'Neill.....	216	do 1, 1895
do .....	Rose McGee.....	168	do 1, 1895
do .....	Mary Driscoll .....	192	do 1, 1895
do .....	Elizabeth Gilbert.....	144	Nov. 1, 1895
Shoemaker.....	Daniel McKellan .....	324	Oct. 1, 1895
do .....	William Guthrie .....	300	do 1, 1895
Butcher.....	Edgar Darling.....	240	do 1, 1892
do .....	Charles Dettmar .....	240	do 1, 1895
do .....	David Edwards .....	360	do 1, 1895
do .....	John Casey .....	288	do 1, 1895

## SCHEDULE D — (Continued).

## Long Island State Hospital — (Continued).

Title of position.	NAME.	Salary.	Date of appointment.
Blacksmith .....	Patrick Dowling .....	\$324	Oct. 1, 1895
do .....	Albert Zissett .....	\$3.50 a day	do 1, 1895
Painter.....	Josiah Martin.....	\$300	do 1, 1895
do .....	Paul Berg .....	264	do 1, 1895
do .....	Thomas Meehan .....	276	do 1, 1895
Plumber.....	P. H. McKeon .....	\$3.00 a day	do 1, 1895
do .....	Thomas Dawson .....	3.00 a day	do 1, 1895
Carpenter.....	Edward Walsh .....	2.75 a day	do 1, 1895
do .....	Patrick Keating.....	2.75 a day	do 1, 1895
do .....	Lawrence Dowling .....	2.75 a day	do 1, 1895
do .....	John Norton .....	\$600	do 1, 1895
do .....	Joseph Tracey.....	264	do 1, 1895
do .....	John Harigan.....	264	do 1, 1895
do .....	John J. Mulhearn.....	264	do 1, 1895
do .....	John Cramer.....	216	do 1, 1895
do .....	James Tackaberry.....	600	do 1, 1895
Farmer.....	John Butterly.....	600	do 1, 1895
do .....	Frederick Martin .....	216	do 1, 1895
Glazier .....	Patrick Lynch .....	240	do 1, 1895
Barber .....	Edward Ryan .....	264	do 1, 1895
do .....	Charles Warren.....	264	do 1, 1895
do .....	Joseph Conway.....	300	do 1, 1895
Gardener.....	Patrick Dixon .....	324	do 1, 1895
do .....	Patrick McDonough .....	300	do 1, 1895
Special Officer .....	William Kelliher.....	264	do 1, 1895
do .....	William Rooney.....	288	do 1, 1895
Watchman .....	Martin Delaney .....	324	do 1, 1895
do .....	Andrew J. Smith .....	240	do 1, 1895
do .....	Timothy Ryan .....	324	do 1, 1895
do .....	Joseph Grace .....	240	do 1, 1895
do .....	John Harrington.....	420	do 1, 1895
do .....	Michael Carr.....	324	do 1, 1895
do .....	Eugene Tally.....	420	do 1, 1895
do .....	Francis McLoughlin.....	264	do 1, 1895
do .....	Harvey O. Dutcher.....	216	do 1, 1895
do .....	James Golden.....	300	do 1, 1895
do .....	Henry Knopf .....	240	do 1, 1895
do .....	Thomas F. Winters.....	216	do 1, 1895
Mason .....	Richard Conway.....	240	do 1, 1895
do .....	Patrick Burke.....	300	do 1, 1895
Upholsterer .....	Patrick Cummins.....	324	do 1, 1895
do .....	George McLean.....	300	do 1, 1895
do .....	James Donovan.....	360	do 1, 1895
Laundryman.....	James Dwyer .....	216	do 1, 1895
do .....	Thomas Norris.....	324	do 1, 1895
do .....	James O'Reilly.....	216	do 1, 1895
do .....	Charles Reynolds.....	216	do 1, 1895
Laundress .....	Kate O'Rourke.....	144	do 1, 1895
do .....	Mary Walker .....	192	do 1, 1895
do .....	Catherine Simpson .....	144	do 1, 1895
do .....	Lizzie Lacey .....	144	do 1, 1895
do .....	Theresa Clare.....	144	do 1, 1895
do .....	Bridget Norris .....	216	do 1, 1895
do .....	Lizzie Darragh.....	144	do 1, 1895
do .....	Hannah Donovan.....	216	do 1, 1895
do .....	Kate Wilkins.....	216	do 1, 1895
do .....	Maggie Kelly .....	192	do 1, 1895
do .....	Laura Fatherly .....	216	do 1, 1895
do .....	Margaret Adams.....	192	do 30, 1895
Cook .....	James McDonald .....	480	do 1, 1895
do .....	William Lipton .....	480	do 1, 1895
do .....	Bridget Burns.....	216	do 1, 1895
do .....	Kate Rogan.....	216	do 1, 1895
do .....	Mary Meagher .....	240	do 1, 1895
do .....	Bridget Grogan .....	168	do 1, 1895
Baker .....	William Kratz .....	600	do 1, 1895
Assistant Baker .....	Philip Dunphy.....	420	do 1, 1895
Steamfitter.....	John Dougherty .....	\$3 a day	do 1, 1895
do .....	William Wild .....	\$600	Dec. 9, 1895
Tinsmith .....	Patrick Heatherington .....	264	Oct. 1, 1895
Fireman .....	John Nolan .....	600	do 1, 1895
do .....	Hugh Mohan.....	600	do 1, 1895



## THIRTEENTH REPORT OF THE

## SCHEDULE D — (Continued).

## Long Island State Hospital — (Continued).

Title of position.	NAME.	Salary.	Date of appointment.
Fireman .....	Josiah Kennedy.....	\$600	Oct. 1, 1895
do .....	Michael Rafter.....	600	do 1, 1895
do .....	Henry Fass .....	600	do 1, 1895
do .....	Thomas Feeney.....	600	do 1, 1895
do .....	Thomas Walker.....	600	do 1, 1895
do .....	William B. Green.....	600	do 1, 1895
do .....	James Keenan. ....	600	do 1, 1895
do .....	Robt. O'Hara.....	600	do 1, 1895
do .....	Michael Foley.....	600	Nov. 6, 1895
do .....	Philip McHugh.....	600	do 1, 1895
do .....	Frank McMorrow.....	600	Dec. 6, 1895
do .....	J. B. Blydenburgh.....	600	do 7, 1895
Attendant.....	Patrick Flynn.....	300	Oct. 1, 1895
do .....	Patrick Brodie.....	300	do 1, 1895
do .....	Edward Miller.....	264	do 1, 1895
do .....	Patrick Murray.....	216	do 1, 1895
do .....	James Gallagher.....	300	do 1, 1895
do .....	Joseph Perch.....	216	do 1, 1895
do .....	Patrick McPartland.....	300	do 1, 1895
do .....	James Quinn.....	264	do 1, 1895
do .....	William Hennessey.....	216	do 1, 1895
do .....	Patrick Casey.....	264	do 1, 1895
do .....	William Munn.....	300	do 1, 1895
do .....	John McMarrow.....	240	do 1, 1895
do .....	Michael Lonergan.....	216	do 1, 1895
do .....	John J. Smith.....	216	do 1, 1895
do .....	Michael Galvin.....	300	do 1, 1895
do .....	John Talty.....	264	do 1, 1895
do .....	Francis Kinsella.....	216	do 1, 1895
do .....	James Martin.....	300	do 1, 1895
do .....	Patrick Hodgins.....	264	do 1, 1895
do .....	James Rooney.....	216	do 1, 1895
do .....	William McGowan.....	216	do 1, 1895
do .....	William Mason.....	216	do 1, 1895
do .....	Martin Kenny.....	264	do 1, 1895
do .....	Daniel Sharpe.....	216	do 1, 1895
do .....	Augustus Dunbar.....	216	do 1, 1895
do .....	Richard McGuinness.....	216	do 1, 1895
do .....	Michael Kelly.....	300	do 1, 1895
do .....	Peter Corovan.....	324	do 1, 1895
do .....	John Healey.....	216	do 1, 1895
do .....	John Cleary.....	216	do 1, 1895
do .....	Ulick P. Gibbons.....	216	do 1, 1895
do .....	John Mooney.....	216	do 1, 1895
do .....	Michael Hartigan.....	216	do 1, 1895
do .....	Elizabeth Bryant.....	168	do 1, 1895
do .....	Mary Cameron.....	216	do 1, 1895
do .....	Ellen Rogerson.....	204	do 1, 1895
do .....	Kate Harrigan.....	216	do 1, 1895
do .....	Marion Kelly.....	192	do 1, 1895
do .....	Ellen Tracey.....	216	do 1, 1895
do .....	Annie Woods.....	216	do 1, 1895
do .....	Ellen Dolan.....	204	do 1, 1895
do .....	Emily Liddy.....	144	do 1, 1895
do .....	Agnes Christel.....	144	do 1, 1895
do .....	Nora Murphy.....	216	do 1, 1895
do .....	Lizzie A. Dalton.....	216	do 1, 1895
do .....	Nora Sullivan.....	216	do 1, 1895
do .....	Jennie Kelly.....	216	do 1, 1895
do .....	Mary J. O'Dare.....	216	do 1, 1895
do .....	Theresa Lyons.....	192	do 1, 1895
do .....	Mary McTernan.....	168	do 1, 1895
do .....	Mary L. O'Neill.....	144	do 1, 1895
do .....	Kate Walsh.....	144	do 1, 1895
do .....	Bridget Feeney.....	216	do 1, 1895
do .....	Nellie Shannon.....	144	do 1, 1895
do .....	Marie Dickert.....	144	do 1, 1895
do .....	Mary Hines.....	144	do 1, 1895
do .....	Katie Keenan.....	216	do 1, 1895
do .....	Nellie McCarthy.....	144	do 1, 1895
do .....	Mary Sullivan.....	216	do 1, 1895
do .....	Katie Keough.....	192	do 1, 1895



## SCHEDULE D — (Continued).

## Long Island State Hospital — (Continued).

Title of position.	NAME.	Salary.	Date of appointment.
Attendant.....	Mary Dornan .....	\$192	Oct. 1, 1895
do .....	Nina Ryan .....	168	do 1, 1895
do .....	Mary Hammann .....	216	do 1, 1895
do .....	Nellie Detweiler.....	192	do 1, 1885
do .....	Maggie Lyons.....	216	do 1, 1895
do .....	Elizabeth Thornton.....	192	do 1, 1895
do .....	Lizzie Beahan .....	144	do 1, 1895
do .....	Lizzie Higgins.....	144	do 1, 1895
do .....	Julia Farrelly.....	192	do 1, 1895
do .....	Kate Reilly.....	204	do 1, 1895
do .....	Nellie Lonergan.....	168	do 1, 1895
do .....	Katie Dugan .....	144	do 1, 1895
do .....	Nettie Williams.....	192	do 1, 1895
do .....	Maggie Sullivan.....	216	do 1, 1895
do .....	Lizzie Christel .....	144	do 1, 1895
do .....	Ellen Reilly .....	216	do 1, 1895
do .....	Lizzie Clancy .....	192	do 1, 1895
do .....	Ella Reilly .....	168	do 1, 1895
do .....	Nora Carroll .....	144	do 1, 1895
do .....	Teresa O'Rourke.....	192	do 1, 1895
do .....	Maggie Clancy .....	144	do 1, 1895
do .....	Bridget Walsch .....	168	do 1, 1895
do .....	Nellie Donohue .....	168	do 1, 1895
do .....	Kate Walsch .....	168	do 1, 1895
do .....	Mary Bergen .....	216	do 1, 1895
do .....	Bridget McHugh.....	216	do 1, 1895
do .....	Clara Gee .....	192	do 1, 1895
do .....	Nellie Cronin.....	144	do 1, 1895
do .....	Jane Daly .....	192	do 1, 1895
do .....	Maggie Reilly.....	144	do 1, 1895
do .....	Catherine Healey .....	144	do 1, 1895
do .....	Nora Conway .....	144	do 1, 1895
do .....	Annie McHugh.....	168	do 1, 1895
do .....	Helena McIntyre .....	192	do 1, 1895
do .....	Lizzie Quinn .....	168	do 1, 1895
do .....	Annie Dalton.....	192	do 1, 1895
do .....	Mary E. Harte .....	186	do 1, 1895
do .....	Thomas Donnelly .....	264	do 1, 1895
do .....	David O'Keefe .....	300	do 1, 1895
do .....	Thomas Tierney .....	240	do 1, 1895
do .....	Richard Gersdorf .....	276	do 1, 1895
do .....	Michael Rogan.....	300	do 1, 1895
do .....	Timothy Creamer.....	276	do 1, 1895
do .....	Thomas McManus.....	300	do 1, 1895
do .....	Patrick McNulty .....	300	do 1, 1895
do .....	Nicholas Larkin .....	300	do 1, 1895
do .....	Thomas Kenny.....	276	do 1, 1895
do .....	Charles O'Hara .....	300	do 1, 1895
do .....	Charles McMorrow.....	300	do 1, 1895
do .....	Thomas B. Flynn .....	300	do 1, 1895
do .....	John Morrissey .....	276	do 1, 1895
do .....	James Kelly .....	240	do 1, 1895
do .....	Michael Galligan .....	240	do 1, 1895
do .....	John O'Connor .....	300	do 1, 1895
do .....	Timothy O'Connor.....	300	do 1, 1895
do .....	James Corbett .....	216	do 1, 1895
do .....	Patrick Kennedy .....	216	do 1, 1895
do .....	Harvey Learn.....	240	do 1, 1895
do .....	Patrick Kiernan .....	324	do 1, 1895
do .....	John Meagher .....	300	do 1, 1895
do .....	Henry E. Westley .....	300	do 1, 1895
do .....	John P. Healey.....	240	do 1, 1895
do .....	William Healey.....	324	do 1, 1895
do .....	James Roache .....	288	do 1, 1895
do .....	Margaret Reilly.....	216	do 1, 1895
do .....	Ellen McDonnell.....	192	do 1, 1895
do .....	Mary Sheehan .....	216	do 1, 1895
do .....	Kate O'Reagan.....	216	do 1, 1895
do .....	Bridget Tunney.....	216	do 1, 1895
do .....	Mary Cody.....	216	do 1, 1895
do .....	Frances Dolan.....	216	do 1, 1895
do .....	Bridget Burns.....	192	do 1, 1895

## THIRTEENTH REPORT OF THE

## SCHEDULE D — (Continued).

## Long Island State Hospital — (Continued).

Title of position.	NAME.	Salary.	Date of appointment.
Attendant.....	Hannah Sheehan .....	\$144	Oct. 1, 1895
do .....	Ellen Kickham .....	168	do 1, 1895
do .....	Minnie McNamara .....	144	do 1, 1895
do .....	Emily Peterson .....	168	do 1, 1895
do .....	Mary McNamara .....	144	do 1, 1895
do .....	Mary Gilhcoley .....	144	do 1, 1895
do .....	Catherine Lacey .....	144	do 1, 1895
do .....	Mary Allcorn .....	144	do 1, 1895
do .....	Mary Corrigan .....	168	do 1, 1895
do .....	Bridget Dolan .....	168	do 1, 1895
do .....	Annie Dorian .....	168	do 1, 1895
do .....	Maggie Higgins .....	144	do 1, 1895
do .....	Emma M. Rawlins .....	144	do 1, 1895
do .....	Honora Reilly .....	168	do 1, 1895
do .....	Nora Keane .....	192	do 1, 1895
do .....	Mary Madden .....	192	do 1, 1895
do .....	Elizabeth Meyers .....	192	do 1, 1895
do .....	Winnifred Kenny .....	168	do 1, 1895
do .....	Eliz. McEnearney .....	216	do 1, 1895
do .....	Bridget Coyle .....	216	do 1, 1895
do .....	Frances Felix .....	216	do 1, 1895
do .....	Mary Slack .....	240	do 1, 1895
do .....	Kate Owens .....	240	do 1, 1895
do .....	Bridget Leddy .....	192	do 1, 1895
do .....	Mary Smith .....	216	do 1, 1895
do .....	Ella Barry .....	192	do 1, 1895
do .....	Ellen Sullivan .....	168	do 1, 1895
do .....	Kate Sullivan .....	192	do 1, 1895
do .....	Mary Sweeney .....	168	do 1, 1895
do .....	Alice Finn .....	192	do 1, 1895
do .....	Kate Feeney .....	192	do 1, 1895
do .....	Annie Carey .....	168	do 1, 1895
do .....	Margaret Collins .....	168	do 1, 1895
do .....	Lizzie O'Reilly .....	168	do 1, 1895
do .....	Mary Crogan .....	192	do 1, 1895
do .....	Delia Kearns .....	192	do 1, 1895
do .....	Mary Sullivan .....	168	do 1, 1895
do .....	Mary Levey .....	192	do 1, 1895
do .....	Margaret Dunn .....	144	do 1, 1895
do .....	Mary Felix .....	144	do 1, 1895
do .....	Kate Lynch .....	168	do 1, 1895
do .....	Kate McKeon .....	216	do 1, 1895
do .....	Lizzie Johnston .....	168	do 1, 1895
do .....	Mary Parsons .....	144	do 1, 1895
do .....	Annie McDonough .....	168	do 1, 1895
do .....	Mary Kickham .....	192	do 1, 1895
do .....	Tessie Roome .....	192	do 1, 1895
do .....	Thomas McDonnell .....	240	do 1, 1895
do .....	William Doyle .....	300	do 1, 1895
do .....	Richard McCabe .....	300	do 1, 1895
do .....	Robert Cade .....	216	do 1, 1895
do .....	Daniel Liddy .....	216	do 1, 1895
do .....	Peter McConville .....	216	do 1, 1895
do .....	William Joyce .....	264	do 1, 1895
do .....	Patrick Gallagher .....	240	do 1, 1895
do .....	Patrick Geraghty .....	300	do 1, 1895
do .....	Owen Buckley .....	240	do 1, 1895
do .....	John Graves .....	240	do 1, 1895
do .....	Alexis Petiaux .....	252	do 1, 1895
do .....	James White .....	264	do 1, 1895
do .....	William Reache .....	240	do 1, 1895
do .....	Michael O'Shea .....	216	do 1, 1895
do .....	John Ryan No. 3 .....	216	do 1, 1895
do .....	Dennis Lyons .....	216	do 1, 1895
do .....	John Schemerhorn .....	216	do 1, 1895
do .....	Joseph J. Donohue .....	216	do 1, 1895
do .....	Frank Kenny .....	216	do 1, 1895
do .....	John Dorian .....	240	do 1, 1895
do .....	John J. O'Toole .....	216	do 1, 1895
do .....	Thomas Quirk .....	216	do 1, 1895
do .....	John Ryan No. 2 .....	216	do 1, 1895
do .....	Anthony Hynes .....	216	do 1, 1895



## SCHEDULE D — (Continued).

## Long Island State Hospital — (Continued).

Title of position.	NAME.	Salary.	Date of appointment.
Attendant.....	Peter Wall .....	\$216	Oct. 1, 1895
do .....	Thomas Scully.....	216	do 1, 1895
do .....	John Davern.....	216	do 1, 1895
do .....	John Ryan No. 1.....	240	do 1, 1895
do .....	John Silk .....	216	do 1, 1895
do .....	Peter Graham .....	216	do 1, 1895
do .....	Thomas Walker .....	324	do 1, 1895
do .....	John Dolan .....	300	do 1, 1895
do .....	Frank Broderick.....	300	do 1, 1895
do .....	Lawrence Quirk .....	300	do 1, 1895
do .....	Richard Cahill.....	276	do 1, 1895
do .....	Frederick Goedeke .....	300	do 1, 1895
do .....	John F. Connell .....	300	do 1, 1895
do .....	Michael Keilly .....	300	do 1, 1895
do .....	Dennis Tierney .....	216	do 1, 1895
do .....	John Kenny .....	324	do 1, 1895
do .....	Daniel Mack .....	264	do 1, 1895
do .....	William Hayes.....	240	do 1, 1895
do .....	Francis Piggott.....	216	do 1, 1895
do .....	John Kelly.....	264	do 1, 1895
do .....	Samuel Bunce.....	216	do 1, 1895
do .....	Patrick Larkin.....	240	do 1, 1895
do .....	Edward Prendergast.....	240	do 1, 1895
do .....	Patrick O'Brien.....	264	do 1, 1895
do .....	James Robinson.....	216	do 1, 1895
do .....	Michael Larkin.....	216	do 1, 1895
do .....	Thomas Foran.....	240	do 1, 1895
do .....	John Kinsella .....	216	do 1, 1895
do .....	Thomas Fitzgerald.....	216	do 1, 1895
do .....	Thomas Liddy .....	216	do 1, 1895
do .....	Hugh Furey .....	216	do 1, 1895
do .....	George Fish.....	216	do 1, 1895
do .....	Thomas P. O'Connor .....	216	do 1, 1895
do .....	Thomas Moore.....	216	do 1, 1895
do .....	Robert Gibson.....	216	do 1, 1895
do .....	George Wheeler .....	216	do 1, 1895
do .....	William Coruya.....	216	do 1, 1895
do .....	Washington Smith.....	216	do 1, 1895
do .....	William McGinley.....	264	do 1, 1895
do .....	Anthony Collins.....	324	do 1, 1895
do .....	Michael Benson.....	216	do 1, 1895
do .....	Annie Shields .....	144	do 1, 1895
do .....	John O'Donnell.....	216	do 1, 1895
do .....	Thomas Maroonney .....	216	do 1, 1895
do .....	Thomas Coffey.....	264	do 1, 1895
do .....	John Kenny.....	276	do 1, 1895
do .....	Denis Brodie.....	240	do 1, 1895
do .....	John McNamara.....	252	do 1, 1895
do .....	John King.....	216	do 1, 1895
do .....	Michael Blackburn .....	216	do 1, 1895
do .....	Patrick Hennessey .....	216	do 1, 1895
do .....	James Magee .....	276	do 1, 1895
do .....	Ernest A. Platfoot .....	216	do 1, 1895
do .....	Robert Smith .....	216	do 1, 1895
do .....	Thomas O'Rourke .....	264	do 1, 1895
do .....	Jeremiah Singleton.....	216	do 1, 1895
do .....	James Shaughnessy .....	216	do 1, 1895
do .....	John Duffee.....	216	do 1, 1895
do .....	Mary J. Keyes .....	144	do 1, 1895
do .....	Kate Gray .....	144	do 1, 1895
do .....	Andrew Dunn.....	216	do 1, 1895
do .....	John Fitzgerald.....	216	do 1, 1895
do .....	Kate M. Shine.....	144	do 1, 1895
do .....	Bessie Fay .....	144	do 1, 1895
do .....	Hannah Flynn .....	144	do 1, 1895
do .....	Bessie Doran.....	144	do 1, 1895
do .....	Mary Long.....	144	do 1, 1895
do .....	Maggie Bell .....	144	do 1, 1895
do .....	Anna Bell .....	144	do 1, 1895
do .....	John McGovern.....	216	do 1, 1895
do .....	Julius J. Wagner.....	216	do 1, 1895
do .....	Mary O'Mara .....	144	do 1, 1895



SCHEDULE D — (Continued).

Long Island State Hospital — (Continued).

Title of position.	NAME.	Salary.	Date of appointment.
Attendant .....	James Gilhooley .....	\$216	Oct. 1, 1895
do .....	James Morrissey .....	216	do 1, 1895
do .....	James J. Behan .....	216	do 1, 1895
do .....	Frank Reilly .....	216	do 1, 1895
do .....	James Dunn .....	216	do 1, 1895
do .....	George Wheeler .....	216	do 1, 1895
do .....	Charles Knightly .....	216	do 1, 1895
do .....	Mary Patterson .....	144	do 1, 1895
do .....	Mary Brennan .....	144	do 1, 1895
do .....	Thomas McDonald .....	300	do 1, 1895
do .....	James J. Powers .....	216	do 1, 1895
do .....	Joseph Burke .....	216	do 1, 1895
do .....	Minnie Barrett .....	144	do 1, 1895
do .....	Sarah Miller .....	144	do 1, 1895
do .....	Augustus Hughson .....	216	do 3, 1895
do .....	Nellie Scott .....	144	do 9, 1895
do .....	Mary A. Solomon .....	144	do 9, 1895
do .....	Constantia Ross .....	144	do 9, 1895
do .....	Arabella Ross .....	144	do 9, 1895
do .....	Mary Kerrigan .....	144	do 9, 1895
do .....	Peter McGovern .....	216	do 9, 1895
do .....	Kate Lambert .....	144	do 9, 1895
do .....	Helen McPeak .....	144	do 9, 1895
do .....	Mary McGovern .....	144	do 9, 1895
do .....	Eugene Moynihan .....	216	do 17, 1895
do .....	Mary Brady .....	144	do 21, 1895
do .....	James Rooney, No. 2 .....	216	do 31, 1895
do .....	Julia Lynott .....	144	do 31, 1895
do .....	J. F. Gibbons .....	216	Nov. 12, 1895
do .....	James Rochford .....	216	do 12, 1895
do .....	Mary McCarthy .....	144	do 12, 1895
do .....	Mary Ryan .....	144	do 12, 1895
do .....	Mary Quinn .....	144	do 12, 1895
do .....	Ellen Allis .....	144	do 12, 1895
do .....	Kyran Castigan .....	216	do 13, 1895
do .....	Leo Will .....	216	do 13, 1895
do .....	John McCarthy .....	216	do 13, 1895
do .....	Michael J. Slattery .....	216	do 13, 1895
do .....	Dominick Murray .....	216	do 13, 1895
do .....	George C. Schieffelin .....	216	do 13, 1895
do .....	John Behan .....	216	do 13, 1895
do .....	Michael J. Haggerty .....	216	do 13, 1895
do .....	Margareta Esser .....	144	do 13, 1895
do .....	Elizabeth McCall .....	144	do 15, 1895
do .....	Frank Gilbert .....	216	do 18, 1895
do .....	Thomas Donnellan .....	216	do 19, 1895
do .....	William P. McLennan .....	216	do 19, 1895
do .....	Clyde Taylor .....	216	do 20, 1895
do .....	Delia Reilly .....	144	do 27, 1895
do .....	Nellie Collins .....	144	Dec. 2, 1895
do .....	Michael O'Shaugnessy .....	216	do 2, 1895
do .....	Patrick Corbett .....	216	do 2, 1895
do .....	John Dixon .....	216	do 2, 1895
do .....	Martin McGoldrick .....	216	do 9, 1895
do .....	Edward Brett .....	216	do 9, 1895
do .....	David A. Calligan .....	216	do 9, 1895
do .....	Grace G. Curtis .....	144	do 10, 1895
do .....	Grant Kingsley .....	216	do 16, 1895
do .....	Rodger Higgins .....	216	do 17, 1895
do .....	Julian C. Gray .....	216	do 19, 1895
do .....	Albert Miller .....	216	do 21, 1895
do .....	Henry McMurray .....	216	do 21, 1895
do .....	J. B. J. A. Dawaer .....	216	do 21, 1895
do .....	Hattie Lyons .....	144	do 21, 1895
do .....	Lemons E. Rodgers .....	216	do 30, 1895

Buffalo State Hospital.

Policeman .....	E. W. Gabriel .....	540	Jan. 1, 1896
Barber .....	John Murphy .....	456	July 1, 1891
Coachman .....	J. V. Warren .....	528	Mar. 1, 1893

## SCHEDULE D — (Continued).

## Buffalo State Hospital — (Continued).

Title of position.	NAME.	Salary.	Date of appointment.
Driver.....	Henry Sauer.....	\$300	Apr. 1, 1895
do .....	William Holcomb.....	420	July 1, 1894
Storekeeper.....	George J. Wheeler.....	600	Jan. 1, 1896
Baker.....	Fred Roller.....	630	July 1, 1890
Meat Cutter.....	John Dils.....	510	Jan. 1, 1892
Laundry Overseer.....	Dennis Britt.....	720	Sept. 1, 1892
Lauderer.....	George W. Follick.....	420	Jan. 1, 1896
Head Laundress.....	Eliza Bullen.....	420	May 1, 1884
Laundress.....	Alma Jones.....	300	do 1, 1895
do .....	Anna Welsh.....	300	do 1, 1895
do .....	Agnes Gourley.....	300	do 1, 1895
Steamfitter.....	William Griffith.....	840	Dec. 1, 1880
Fireman.....	Thomas Jones.....	600	Aug. 1, 1889
do .....	Griffith Pritchard.....	600	Dec. 1, 1895
do .....	Joseph Van Hoff.....	570	Feb. 1, 1896
Head Carpenter.....	August Griep.....	840	June 1, 1885
Carpenter.....	Robert Brand.....	720	do 1, 1891
Painter.....	William Hussey.....	720	Nov. 1, 1891
Tailor.....	James Fitzsimmons.....	600	Aug. 1, 1891
Shoemaker.....	John McDermott.....	600	Mar. 1, 1893
Head Farmer.....	William King.....	552	July 1, 1894
Farmer.....	John Hawkins.....	420	do 1, 1895
do .....	Nelson Neidrauer.....	420	do 1, 1895
Florist.....	Frank Faehr.....	420	Jan. 1, 1891
Housekeeper.....	Mary V. Wright.....	324	Oct. 1, 1893
do .....	Eliza Brooks.....	300	Jan. 1, 1896
Chef.....	James D. McNeal.....	930	July 1, 1895
Cook.....	Sophia R. Simons.....	300	do 1, 1893
do .....	Mary Green.....	330	Jan. 1, 1896
do .....	Mary Bildstein.....	330	July 1, 1895
do .....	William Thomas.....	300	do 1, 1895
do .....	Margaret Collins.....	240	Jan. 1, 1896
do .....	Bridget Fitzpatrick.....	270	July 1, 1893
do .....	Katie Bildstein.....	270	do 1, 1895
do .....	Andrew Roth.....	270	Aug. 1, 1893
do .....	John Slacer.....	270	Feb. 1, 1895
Chief Supervisor.....	William Maloney.....	510	Jan. 1, 1896
do .....	Margaret Wilson.....	528	Sept. 1, 1891
Supervisor.....	Patrick O'Flanagan.....	630	Mar. 1, 1881
do .....	Kate Platte.....	372	July 1, 1895
Nurse.....	Charles B. Frank.....	396	Feb. 1, 1888
do .....	Patrick O'Leary.....	396	do 1, 1890
do .....	George D. Mack.....	360	June 1, 1893
do .....	James B. Geddes.....	360	Aug. 1, 1893
do .....	John J. Busher.....	360	April 1, 1893
do .....	Thomas H. Campbell.....	384	June 1, 1891
do .....	Anna Donley.....	312	Jan. 1, 1894
do .....	Sadie Moore.....	276	Nov. 1, 1895
do .....	Mae Jones.....	324	do 1, 1891
do .....	Emma Hipwell.....	300	June 1, 1893
do .....	Francis St. John.....	312	do 1, 1892
do .....	Lizzie O'Flanagan.....	324	Jan. 1, 1892
do .....	Susan Chalmers.....	300	Nov. 1, 1893
do .....	George Wyatt.....	360	Feb. 1, 1895
do .....	Stephen F. Mahar.....	372	June 1, 1893
do .....	James Kelman.....	396	Mar. 1, 1892
do .....	Andrew McBean.....	372	June 1, 1892
do .....	Mary Finnegan.....	240	May 1, 1895
do .....	Nettie Johnston.....	312	Mar. 1, 1892
do .....	Margaret McDonough.....	288	Jan. 1, 1896
do .....	Alma Colton.....	312	May 1, 1893
Special Attendant.....	Alfred E. Shaw.....	384	April 1, 1893
do .....	Joseph Cantillion.....	396	Sept. 1, 1892
do .....	Charles McCarter.....	540	Jan. 1, 1896
do .....	Rosa J. Hoak.....	480	June 1, 1890
Attendant.....	Mary Cross.....	336	Sept. 1, 1885
do .....	Emma Demell.....	300	May 1, 1895
do .....	Laura L. Warren.....	216	April 1, 1893
do .....	Fred Johnstone.....	240	Jan. 1, 1896
do .....	Walter F. Leland.....	360	Aug. 1, 1890
do .....	Daniel W. Keating.....	300	May 1, 1895
do .....	William H. Jones.....	300	do 1, 1895



## SCHEDULE D — (Continued).

## Buffalo State Hospital — (Continued).

Title of position.	NAME.	Salary.	Date of appointment.
Attendant.....	William H. Mundy.....	\$324	Oct. 1, 1893
do .....	William Murphy .....	312	June 1, 1894
do .....	Stephen C. Hogan .....	312	do 1, 1894
do .....	Mary Sutcliffe.....	288	Sept. 1, 1891
do .....	Emma Scott.....	252	May 1, 1894
do .....	Anna Ackermann.....	240	do 1, 1895
do .....	Nettie Campbell .....	252	Sept. 1, 1884
do .....	Elizabeth Clark.....	240	Oct. 1, 1895
do .....	Stewart Carroll .....	240	Nov. 1, 1895
do .....	John H. Smith .....	252	July 1, 1895
do .....	Morris De Camp .....	252	May 1, 1895
do .....	Thomas Gordan.....	252	April 1, 1895
do .....	James Ferry.....	288	July 1, 1893
do .....	William J. Galvin .....	252	Aug. 1, 1895
do .....	Otto Schutte .....	252	June 1, 1895
do .....	Arthur A. Smith .....	240	Dec. 1, 1895
do .....	Addison O. Colton .....	282	do 1, 1895
do .....	Charles E. Wood.....	240	do 1, 1895
do .....	Elmer C. Taft.....	240	Jan. 1, 1896
do .....	Raymond P. Webb.....	240	do 1, 1896
do .....	Robert A. Childs.....	240	do 1, 1896
do .....	Oscar R. English .....	240	do 1, 1896
do .....	Alvin J. Danger .....	240	do 1, 1896
do .....	William F. Creenan.....	288	Mar. 1, 1894
do .....	William H. Smith.....	252	May 1, 1895
do .....	Bertha Saeger.....	180	June 1, 1895
do .....	Rosa Delp.....	168	Oct. 1, 1895
do .....	Jennie M. Barrett .....	180	June 1, 1895
do .....	Nellie McDonald .....	168	Nov. 1, 1895
do .....	Anna Carr .....	204	Apr. 1, 1894
do .....	Carrie Pierce.....	180	Aug. 1, 1895
do .....	Ruth Archibald .....	168	Nov. 1, 1895
do .....	Ettie O'Flanagan .....	264	July 1, 1894
do .....	Margaret Hazlett .....	216	Dec. 1, 1893
do .....	Sarah L. Cline.....	168	Nov. 1, 1895
do .....	Inez Tolsman .....	180	July 1, 1895
do .....	Anna Carlin.....	180	June 1, 1895
do .....	Jennie McPhillips.....	180	Sept. 1, 1895
do .....	Eva M. Parsons .....	168	Jan. 1, 1896
do .....	Maria G. Rogers .....	180	Sept. 1, 1895
do .....	F. Esther English .....	168	Oct. 1, 1895
do .....	Frances McGarr .....	168	do 1, 1895
do .....	Emma Bowen.....	180	Aug. 1, 1895
do .....	Bertha Shuart.....	180	Apr. 1, 1895
do .....	Barbara Shepard .....	192	Mar. 1, 1895
do .....	Anna Rourke .....	168	Oct. 1, 1895
do .....	Josephine G. McDonald....	168	Jan. 1, 1896
do .....	Elizabeth Herbert .....	168	do 1, 1896
do .....	Inez Klingensmith .....	168	do 1, 1896
do .....	Margaret Chalmers .....	180	do 1, 1893
do .....	J. W. Hannon.....	240	Nov. 1, 1895
do .....	William M. Young .....	252	Sept. 1, 1895
do .....	C. W. Freeman .....	240	Oct. 1, 1895
do .....	Peter W. Vogt.....	264	Feb. 1, 1895
do .....	Peter Duermeier.....	240	Dec. 1, 1895
do .....	William Carr.....	252	July 1, 1895
do .....	W. E. Chapman.....	252	do 1, 1895
do .....	William G. Avery .....	240	Dec. 1, 1895
do .....	Richard Leahy.....	240	do 1, 1895
do .....	Nora Childs .....	168	Jan. 1, 1896
do .....	Michael J. McDonald .....	324	June 1, 1894
do .....	Mary McQuay.....	300	Aug. 1, 1893
do .....	Mary C. Daley.....	264	July 1, 1894
do .....	Mary McReedie .....	252	Jan. 1, 1896
do .....	Jennie Galvin .....	186	May 1, 1895
do .....	Evaline J. Robinson.....	186	Jan. 1, 1896
do .....	Mary Clifford .....	222	do 1, 1891
do .....	Almira Maxwell .....	186	June 1, 1895
do .....	Emily Dalton .....	222	May 1, 1892
do .....	Maria Woelfle.....	186	Jan. 1, 1896
do .....	Hattie Judd.....	198	June 1, 1894
do .....	Flora Siggs .....	222	Dec. 1, 1891



## SCHEDULE D — (Continued).

## Buffalo State Hospital — (Continued).

Title of position.	NAME.	Salary.	Date of appointment.
Attendant.....	Mary Fettick.....	\$198	May 1, 1894
do .....	Bessie Thomas .....	186	Aug. 1, 1895
do .....	Mattie Patchell .....	222	July 1, 1892
do .....	Margaret Farrell.....	186	Nov. 1, 1895
do .....	Florence Flimmer .....	186	do 1, 1895
do .....	Nellie Hulpian .....	198	Apr. 1, 1894
do .....	Ida Lehner.....	186	do 1, 1895
do .....	Kate McCray.....	186	Oct. 1, 1895
do .....	Lizzie Little .....	186	Aug. 1, 1895
do .....	Lizzie Peer .....	186	Jan. 1, 1896
do .....	Neilie Brennan.....	186	do 1, 1896
do .....	Mattie Richardson.....	186	do 1, 1896
do .....	Mary Molyneaux .....	192	do 1, 1891

## Middletown State Homeopathic Hospital.

Storekeeper.....	Charles S. Warner.....	630	Oct. 1, 1885
Clothing Clerk.....	Lemuel F. Waddell .....	420	June 1, 1889
Housekeeper.....	Ella Morrison .....	300	Jan. 1, 1896
Watchman.....	John M. Young .....	420	Feb. 1, 1889
do .....	Patrick Barrett .....	420	do 1, 1894
do .....	Wm. F. Luckey.....	420	Jan. 1, 1896
Policeman .....	Samuel H. Sengstacken....	540	do 1, 1896
Barber .....	Frank C. Smith.....	408	do 1, 1894
do .....	Anton Genegel.....	360	do 1, 1896
Usher .....	Louise C. Barrell .....	192	Dec. 1, 1894
Fireman .....	John Irwin.....	480	.....
do .....	Charles D. Crawford.....	570	Oct. 1, 1893
do .....	George W. Hunter.....	480	Nov. 1, 1894
do .....	Jonas M. Sherman .....	570	.....
do .....	John Claffy .....	480	Dec 1, 1895
Chef .....	Theo. Faller .....	900	.....
Head Cook .....	Lineard Heeg.....	480	.....
Cook ... ..	Herman Tice .....	360	Feb. 1, 1892
do .....	Kate Burns .....	300	Dec. 1, 1889
do .....	Jennie A. Hulse.....	300	June 1, 1895
do .....	Richard Williams.....	360	Jan. 1, 1894
Baker .....	Henry Fischer .....	720	May 1, 1894
do .....	Heinrich P. Fritz .....	600	Sept. 1, 1895
Assistant Baker.....	Charles McMullen.....	300	Jan. 1, 1896
Meat Cutter.....	Alonzo H. Stearns .....	570	May 1, 1894
Laundry Overseer .....	David D. Arnolds .....	720	Nov. 1, 1883
Launderer .....	William H. Miller.....	300	Feb. 1, 1889
Head Laundress.....	Mary Bradley.....	300	Dec. 1, 1885
Laundress .....	Maggie Parker.....	180	do 1, 1884
do .....	Maggie McCauley.....	210	Nov. 1, 1894
do .....	Ella T. Macoy.....	180	Feb. 1, 1892
do .....	Susan Robshaw.....	300	Oct. 1, 1890
do .....	Sarah Burke.....	300	Sept. 1, 1893
do .....	Mary Morris .....	180	May 1, 1894
do .....	Jennie Phillips.....	180	Apr. 1, 1893
do .....	Mary McCauley.....	180	Dec. 16, 1895
do .....	Maggie Dempsey .....	300	Sept. 1, 1894
Carpenter.....	Ezra Codington.....	600	do 1, 1878
Gardener .....	Owen McGuire.....	600	Aug. 1, 1882
Florist .....	William Gray.....	660	Apr. 1, 1884
Soap Maker.....	Corn. S. Terwilliger.....	540	Dec. 1, 1884
Painter .....	Daniel Moran .....	690	Mar. 1, 1893
do .....	Lewis Gardener.....	498	Jan. 1, 1891
Tailor .....	Franz J. Sperrfechter .....	600	Feb. 1, 1894
Dressmaker.....	Sabina Cleary .....	348	do 1, 1892
Seamstress.....	Mary F. Day .....	216	June 1, 1892
do .....	Minnie Maloney.....	168	.....
Head Farmer.....	Theo. Burhans .....	540	June 1, 1895
Chief Supervisor.....	Wilbur E. Cook .....	600	Jan. 1, 1880
Supervisor .....	Lola Cook.....	480	do 1, 1882
do .....	Drusilla W. Comstock .....	480	Apr. 1, 1886
do .....	Irene Benjamin.....	456	Jan. 1, 1892
Nurse .....	Alexander Maybee .....	300	do 1, 1896
do .....	Jeremiah A. Boice.....	300	do 1, 1896
do .....	Augustus C. Parlin .....	372	July 1, 1892

SCHEDULE D — (Continued).

Middletown State Homeopathic Hospital — (Continued).

Title of position.	NAME.	Salary.	Date of appointment.
Nurse	Augustus Frear.....	\$378	Oct. 1, 1894
do	Arthur Kilbride.....	426	July 1, 1889
do	Daniel Lahey .....	366	do 1, 1895
do	Wm. Shambler .....	380	Jan. 1, 1896
do	Daniel Sullivan .....	396	July 1, 1890
do	Nellie F. Parlin .....	300	do 1, 1893
do	Martha Morrison.....	264	do 1, 1893
do	Lawrence Rourke.....	426	do 1, 1889
do	Anna Allison.....	276	do 1, 1895
do	Mary Martin .....	300	do 1, 1893
do	Jessie Young.....	264	do 1, 1893
do	Mary Cleary .....	300	Jan. 1, 1894
do	Mary A. Hughes .....	288	Oct. 1, 1895
do	Louise Humiston .....	300	do 1, 1894
do	Olive A. Carpenter .....	312	Nov. 1, 1892
do	Isabelle L. Devore.....	264	July 1, 1893
do	Gussie Allison.....	240	do 1, 1895
do	Annie Nearn .....	336	do 1, 1889
do	Jennie Abbott .....	264	do 1, 1893
do	Ella McNamee .....	240	do 1, 1895
Special Attendant	Michael T. Mallon .....	480	Nov. 1, 1889
Attendant.	Charles Norris.....	408	Apr. 1, 1885
do	John J. Greeve .....	252	.....
do	Chas. Van Wagner .....	318	Jan 1, 1893
do	John Fuess .....	300	Feb. 1, 1893
do	George Lozier.....	300	Apr. 1, 1893
do	Frank P. Callahan.....	342	Jan. 1, 1896
do	John Moran.....	282	do 1, 1896
do	Katie Mahony.....	216	Sept. 1, 1892
do	Genevieve Maloney .....	168	Oct. 1, 1895
do	Sara Russell.....	168	Jan. 1, 1896
do	Mary Hoffman .....	168	Aug. 1, 1894
do	Melissa B. Davey .....	264	Dec. 1, 1894
do	Julia Farmer .....	252	Apr. 1, 1894
do	Bertha Van Benschoten ..	192	Feb. 1, 1895
do	Maggie McNamee.....	180	Sept. 1, 1885
do	Annie Lucy.....	168	Oct. 1, 1895
do	Maggie Langan.....	204	May 1, 1894
do	May Hammond.....	168	Aug. 1, 1894
do	Kate Donavon .....	312	Jan. 1, 1891
do	Frances Schwab.....	300	Oct. 1, 1881
do	Mary Norris.....	168	do 1, 1895
do	Ella Myers .....	216	Dec. 1, 1891
do	Ella Carroll .....	204	May 1, 1894
do	Hattie L. Milligan.....	180	Apr. 1, 1895
do	Emma Rose .....	180	Sept. 1, 1895
do	Mary L. Dunlap .....	300	July 1, 1890
do	Katie McShane .....	252	Sept. 1, 1894
do	Mary Mahony.....	216	Apr. 1, 1893
do	John Slidders .....	288	Nov. 1, 1892
do	Arthur J. Deuel.....	372	Aug. 1, 1895
do	Ernest A. Foster.....	240	Jan. 1, 1896
do	Ezra Mapledoran .....	300	July 1, 1890
do	Wm. Haley .....	372	do 1, 1890
do	Geo. H Swartwout .....	300	Jan. 1, 1896
do	James Purcell.....	288	Dec. 1, 1892
do	John F. Leonard .....	252	June 1, 1895
do	Hugh C. Compton .....	240	.....
do	Clarence E. Dunlap .....	300	Aug. 1, 1895
do	Geo. W. Nolan .....	354	July 1, 1893
do	Edward J. Butts .....	318	Apr. 1, 1891
do	John D. Swartwood.....	282	July 1, 1895
do	Fred J. Moore.....	252	Aug. 1, 1895
do	Marquis L. Goff.....	264	Feb 1, 1895
do	William J. Irwin.....	252	June 1, 1895
do	William E McVeigh.....	288	do 1, 1890
do	George H. Moore .....	240	.....
do	George B. Osborne .....	264	Jan. 1, 1895
do	Myron W. Cuddeback.....	240	do 1, 1896
do	James C. Parshall .....	348	Nov. 1, 1891
do	William Hemingway .....	318	Jan. 1, 1893
do	Hugh Shaw.....	288	Oct. 1, 1892



## SCHEDULE D — (Continued).

## Middletown State Homeopathic Hospital — (Continued).

Title of position.	NAME.	Salary.	Date of appointment.
Attendant .....	Charles N. Frear .....	\$402	Sept. 1, 1885
do .....	John C. Hays .....	264	May 1, 1895
do .....	Robert W. Lewis .....	240	.....
do .....	James Walker .....	390	Oct. 1, 1889
do .....	John Leonard .....	252	May 1, 1895
do .....	Sinclair L. Stevenson .....	318	Dec. 1, 1891
do .....	Cris Genegel .....	240	do 1, 1895
do .....	Harry R. Thorpe .....	294	Jan. 1, 1895
do .....	John J. Lawler .....	270	.....
do .....	Luke Radigan .....	288	Feb. 1, 1891
do .....	Henry J. Tolhurst .....	306	Aug. 1, 1894
do .....	Agnes Hickey .....	168	Oct. 1, 1895
do .....	Anna Rudolph .....	168	.....
do .....	Katie Caddigan .....	216	Feb. 1, 1894
do .....	Jennie Spring .....	180	Aug. 1, 1895
do .....	Ida Castle .....	264	Apr. 1, 1894
do .....	Eula S. Hosier .....	192	Oct. 1, 1894
do .....	Annie Deane .....	168	.....
do .....	Margaret O'Hara .....	180	Nov. 1, 1893
do .....	Helen Farrell .....	168	Dec. 1, 1895
do .....	Nellie Carroll .....	204	May 1, 1894
do .....	Delia A. Mohen .....	180	Nov. 1, 1893
do .....	Kittie L. Fagan .....	252	Jan. 1, 1896
do .....	Annie Redding .....	300	June 1, 1889
do .....	Nellie Gillon .....	216	Nov. 1, 1893
do .....	William J. Murphy .....	288	Feb. 1, 1894
do .....	George Sarine .....	288	Apr. 1, 1889
do .....	Lewis B. Terwilliger .....	240	Jan. 1, 1896
do .....	John R. Neail .....	264	Oct. 1, 1894
do .....	Frank L. Hoffman .....	252	June 1, 1895
do .....	Thomas Monahan .....	252	Sept. 1, 1895
do .....	Tilleran Terwilliger .....	312	July 1, 1895
do .....	George W. Redican .....	288	May 1, 1894
do .....	James H. Winfield .....	276	Aug. 1, 1894
do .....	Daniel Calihan .....	240	Oct 1, 1895
do .....	George Stinnard .....	252	Sept. 1, 1895
do .....	Robert Daniels .....	264	July 1, 1893
do .....	Mortimer B. Austin .....	306	Jan. 1, 1895
do .....	Elting Cuddeback .....	324	Dec. 1, 1894
do .....	John Campbell .....	306	June 1, 1894
do .....	Alfred Stuart .....	288	May 1, 1893
do .....	Thomas H. Flood .....	288	do 1, 1891
do .....	Lester T. Loder .....	378	Feb. 1, 1892
do .....	Samuel D. English .....	318	Nov. 1, 1892
do .....	Daniel S. Reader .....	252	July 1, 1895
do .....	Daurell Sears .....	240	Oct. 1, 1895
do .....	Thomas Fagen .....	240	.....
do .....	Allen Troxell .....	252	June 1, 1895
do .....	Mary Russell .....	240	Mar. 1, 1895
do .....	James Russell .....	240	Nov. 1, 1892
do .....	Della Van Gorder .....	180	June 1, 1895
do .....	Maggie Kilroe .....	168	.....
do .....	Elizabeth Cross .....	168	.....
do .....	Elizabeth McMorrow .....	168	.....
do .....	Elizabeth Fagan .....	168	.....
do .....	Anna M. Lawlor .....	168	.....
do .....	Ella Carson .....	192	Dec. 1, 1894
do .....	Ella Caddigan .....	216	Nov. 1, 1892
do .....	Alice Nolan .....	204	July 1, 1894
do .....	Mabel I. Deuel .....	168	Jan. 1, 1895
do .....	Gertrude Cooper .....	264	June 1, 1894
do .....	Mary Z. Ward .....	168	.....
do .....	Agnes Gray .....	180	Aug. 1, 1895
do .....	Joanna Ross .....	168	Dec. 1, 1895
do .....	Mary Redding .....	264	Jan. 1, 1895
do .....	Curtis Constable .....	240	Dec. 1, 1895
do .....	Kate Leonard .....	180	.....
do .....	Kate Callihan .....	204	June 1, 1894
do .....	Minnie E. Allison .....	168	.....
do .....	Maggie Sheffers .....	216	June 1, 1893
do .....	Luella Davis .....	168	Apr. 1, 1894



## SCHEDULE D — (Continued).

## Middletown State Homeopathic Hospital — (Continued).

Title of position.	NAME.	Salary.	Date of appointment.
Attendant .....	Emma Zahuiser .....	\$180	Apr. 1, 1895
do .....	Edith Robinson .....	168	Nov. 1, 1895
do .....	Jennie M. Dun Van .....	300	Dec. 1, 1875
do .....	Anna A. Terwilliger .....	168	Jan. 1, 1896

## St. Lawrence State Hospital.

Policeman .....	John McDonough .....	420	Apr. 1, 1893
Barber .....	Philip Martin .....	884	Sept. 1, 1894
do .....	Earl D. Thomas .....	360	Apr. 1, 1895
do .....	Archibald W. Tucker .....	360	Jan. 1, 1896
Storekeeper .....	John F. Mullen .....	562	May 1, 1892
Fireman .....	Henry Karr .....	360	Nov. 1, 1890
do .....	Walter Jones .....	360	Feb. 1, 1892
do .....	John Murphy .....	360	Dec. 1, 1892
do .....	Thomas Murray .....	360	Nov. 1, 1895
do .....	William Town .....	360	do 1, 1895
do .....	Patrick H. Mullady .....	360	do 1, 1895
do .....	William Bruce .....	360	do 1, 1895
do .....	Walter Briggs .....	360	do 1, 1895
do .....	Theodore Dessert .....	360	do 1, 1893
do .....	Thomas Hall .....	360	do 1, 1895
Lineman .....	J. Howard Dalzell .....	420	Jan. 1, 1896
Steamfitter .....	E. M. Stanton .....	720	Oct. 1, 1891
Head Carpenter .....	George Hensby .....	720	June 1, 1892
Carpenter .....	Frederick Briggs .....	600	Sept. 1, 1892
Painter .....	T. H. Richards .....	690	do 1, 1891
Baker .....	Peter Bonin .....	600	Jan. 1, 1891
Assistant Baker .....	George E. Mea .....	300	May 1, 1893
Tailor .....	Edward J. Coonrad .....	480	June 1, 1894
Head Farmer .....	Chas. Bartholomew .....	642	Apr. 1, 1894
Dairyman .....	John Sloan .....	570	Jan. 1, 1891
Gardener .....	John F. Barton .....	456	Sept. 1, 1892
do .....	Martin D. Poulson .....	432	May 1, 1894
Laundry Overseer .....	George Midgely .....	600	Feb. 1, 1895
Launderer .....	George W. Farmer .....	300	do 1, 1895
Laundress .....	Anna McNeil .....	180	June 1, 1895
do .....	Fannie Beldin .....	180	Apr. 1, 1891
do .....	Elizabeth Riley .....	180	Mar. 1, 1895
do .....	Emma G. Lytle .....	180	Apr. 1, 1891
do .....	Flora Graves .....	180	Nov. 1, 1894
Housekeeper .....	Nancy McGoe .....	360	Feb. 1, 1891
do .....	Rosalaid Ives .....	300	Oct. 1, 1895
Chef .....	Jacob Haug .....	900	Dec. 1, 1893
Cook .....	Edwin J. Morgan .....	300	Feb. 1, 1895
do .....	Patrick Kelly .....	300	Aug. 1, 1892
do .....	Ralph Briggs .....	200	Apr. 1, 1895
do .....	Nellie K. Barker .....	240	Sept. 1, 1891
do .....	Clara Stowell .....	240	Nov. 1, 1894
do .....	Kate McCormack .....	240	May 1, 1894
do .....	Emma Graham .....	240	June 1, 1895
do .....	Etta Goodale .....	240	Aug. 1, 1895
do .....	Susan Griffith .....	240	May 1, 1895
Chief Supervisor .....	Samuel Crabbe .....	552	Dec. 1, 1892
do .....	Annie F. Jestley .....	516	Sept. 1, 1891
Supervisor .....	Chas. L. Lockwood .....	516	do 1, 1891
do .....	Amelia Lockwood .....	456	do 1, 1891
do .....	Mart J. Lampert .....	432	May 1, 1892
do .....	John McGoe .....	516	Jan. 1, 1891
Nurse .....	Margaret Hogan .....	288	Oct. 1, 1894
do .....	Isabella Gahan .....	288	do 1, 1894
do .....	Mabel A. Waite .....	276	Sept. 1, 1895
do .....	Christine McEwen .....	276	June 1, 1895
do .....	Sarah J. Munn .....	288	Jan. 1, 1895
do .....	Harriet E. Graves .....	276	June 1, 1895
do .....	Chas. B. Hollenback .....	360	Jan. 1, 1894
do .....	Mary S. McQuaig .....	336	June 1, 1895
do .....	Alice H. Murphy .....	300	do 1, 1895
do .....	Margaret Orem .....	300	do 1, 1895
do .....	Edward J. Radley .....	372	do 1, 1893
do .....	Celia Moran .....	276	do 1, 1893

## SCHEDULE D — (Continued).

## St. Lawrence State Hospital — (Continued).

Title of position.	NAME.	Salary.	Date of appointment.
Nurse .....	Mary J. Phillips.....	\$336	June 1, 1895
do .....	Mary T. Cosgrove.....	276	July 1, 1893
do .....	Christina Elliott .....	348	Feb. 1, 1895
Special Attendant (Office Assistant and Telegrapher).....	Nellie M. Ingram.....	444	Sept. 1, 1893
Special Attendant (Foreman Workshop) .....	Daniel Leahy .....	408	Nov. 1, 1891
Special Attendant (Meat Cutter) .....	Roy N. Castle .....	360	May 1, 1895
Special Attendant (Clothing Clerk)...	Frank W. Newton.....	486	Feb. 1, 1893
do do do .....	Meda Farmer .....	312	Jan. 1, 1895
Special Attendant (Painter) .....	Archie Foye .....	360	Apr. 1, 1895
do do .....	Robert Scott .....	360	Jan. 1, 1896
Special Attendant (Photographer) ...	Eugene Flack.....	384	Feb. 1, 1894
Special Attendant (Carpentering)....	Martin Sullivan.....	360	Jan. 1, 1896
Special Attendant (Laboratory Work) Attendant .....	Daniel McCarthy .....	360	Dec. 1, 1895
do .....	Alonzo A. Smith.....	312	Mar. 1, 1895
do .....	James H. O'Neill .....	252	Aug. 1, 1895
do .....	Frederick Levison.....	240	Jan. 1, 1896
do .....	Harrison D. Miller .....	240	Nov. 1, 1895
do .....	Sarah Holland .....	216	June 1, 1894
do .....	Eliza Smith .....	192	May 1, 1895
do .....	John H. Drummond .....	288	Apr. 1, 1894
do .....	James Murphy.....	264	May 1, 1895
do .....	James Fraughton.....	276	Oct. 1, 1894
do .....	Jessie Walt .....	240	June 1, 1895
do .....	Bridget Ryan .....	168	Dec. 1, 1895
do .....	Hattie C. Murphy.....	240	June 1, 1895
do .....	William J. McCormack....	264	Nov. 1, 1894
do .....	Eliza Harper.....	156	Aug. 1, 1895
do .....	Sarah McPhee .....	156	do 1, 1895
do .....	Mary McCabe.....	156	Nov. 1, 1895
do .....	Addie Walt .....	156	May 1, 1895
do .....	Nettie Stanton .....	156	Sept. 1, 1895
do .....	Charles J. Kinne.....	300	July 1, 1895
do .....	Margaret Kinne.....	156	Aug. 1, 1895
do .....	Martha Riley.....	216	Jan. 1, 1891
do .....	Isabel Church.....	156	do 1, 1896
do .....	Sarah Bolton .....	180	Feb. 1, 1894
do .....	Frank Curtin .....	276	July 1, 1894
do .....	Rosabel Edmondson.....	192	Nov. 1, 1895
do .....	Elnor Burke.....	240	Aug. 1, 1895
do .....	Adelene Redington .....	168	Nov. 1, 1895
do .....	Kate Timmons.....	180	Aug. 1, 1895
do .....	Rosa A. Barkley .....	192	Oct. 1, 1894
do .....	Tina Colburne .....	192	Dec. 1, 1894
do .....	Mary Sweeney .....	168	do 1, 1895
do .....	Emma La Salle .....	168	Nov. 1, 1895
do .....	Gertrude Ryder .....	192	do 1, 1894
do .....	Jacob Tanner.....	300	Apr. 1, 1895
do .....	Edward K. Brush .....	312	Feb. 1, 1895
do .....	Henry Schoning .....	300	May 1, 1895
do .....	Jessie Smith .....	300	Dec. 1, 1895
do .....	Anna D. Rowe .....	192	Nov. 1, 1894
do .....	Edith Morgan.....	168	Sept. 1, 1895
do .....	Margaret Dignin.....	180	Mar. 1, 1895
do .....	Anna C. Brush.....	216	Feb. 1, 1894
do .....	Margie Warner .....	180	July 1, 1895
do .....	Mary A. McCabe.....	180	Apr. 1, 1895
do .....	Mary E. Kellogg .....	168	Nov. 1, 1895
do .....	Elizabeth Monroe.....	168	Jan. 1, 1896
do .....	Louise Tanner .....	204	Apr. 1, 1894
do .....	Jennie E. Short .....	168	Sept. 1, 1895
do .....	Libbie Smith.....	180	Mar. 1, 1895
do .....	Minnie Killelea.....	168	Oct. 1, 1895
do .....	Ella A. Bowen.....	216	July 1, 1894
do .....	E. Juliette O'Hara.....	156	Dec. 1, 1895
do .....	Gertrude Bradley.....	156	do 1, 1895
do .....	Mary Briggs.....	156	July 1, 1895
do .....	Anna Thomas.....	252	Feb. 1, 1895
do .....	Amelia La Duke .....	240	Dec. 1, 1895
do .....	Anna G. Smith.....	240	Jan. 1, 1896
do .....	Lillian Barber.....	240	Nov. 1, 1895



## SCHEDULE D — (Continued).

## St. Lawrence State Hospital — (Continued).

Title of position.	NAME.	Salary.	Date of appointment.
Attendant .....	Elma Riddell .....	\$240	June 1, 1895
do .....	Rose W. Johnson .....	240	Nov. 1, 1895
do .....	Henrietta Sloan .....	168	Jan. 1, 1896
do .....	Florence M. Vault .....	168	do 1, 1896
do .....	Mary L. Traum .....	204	May 1, 1894
do .....	Julia Hinman .....	168	Nov. 1, 1895
do .....	Wm. A. Robertson .....	252	June 1, 1895
do .....	Herbert McEwen .....	252	Mar 1, 1895
do .....	Ella M. Wright .....	240	Oct. 1, 1895
do .....	Hannah A. Brien .....	240	do 1, 1895
do .....	William C. Bradley .....	240	Nov. 1, 1895
do .....	Henry Randall .....	240	Jan. 1, 1896
do .....	Albert E. Hallett .....	252	June 1, 1895
do .....	Sterling Barber .....	252	May 1, 1895
do .....	Wm. H. Lyman .....	252	Apr. 1, 1895
do .....	James Halpin .....	276	May 1, 1894
do .....	William Lymburn .....	252	July 1, 1895
do .....	Madge MacDonald .....	163	Jan. 1, 1896
do .....	Levi O. Abernathy .....	300	Feb 1, 1893
do .....	James Forbes .....	300	Oct. 1, 1891
do .....	George Hicks .....	264	July 1, 1895
do .....	Ernest E. Stalbird .....	276	Feb. 1, 1895
do .....	Warren Zeliff .....	264	Aug. 1, 1895
do .....	John O'Brien .....	288	Apr. 1, 1894
do .....	Harry M. Lent .....	264	Mar. 1, 1895
do .....	Byron Merrill .....	264	July 1, 1895
do .....	Jennie McCabe .....	180	Jan. 1, 1894
do .....	Addie Ayers .....	156	Sept. 1, 1895
do .....	William Mackey .....	288	Feb. 1, 1893
do .....	Leonard Bartlett .....	276	May 1, 1894
do .....	James Hughes .....	312	Feb. 1, 1895
do .....	Francis Murphy .....	276	Mar. 1, 1894
do .....	Byron A. Glass .....	240	Jan. 1, 1896
do .....	Charles H. Bean .....	252	July 1, 1895
do .....	Arthur Woodard .....	240	Dec. 1, 1895
do .....	Michael Hayes .....	252	July 1, 1895
do .....	W. D. Atcheson .....	240	Dec. 1, 1895
do .....	Howard Watt .....	240	Sept. 1, 1895
do .....	Louis Mosier .....	276	July 1, 1894
do .....	Cora B. Place .....	240	Oct. 1, 1895
do .....	Teresa Tucker .....	264	Feb. 1, 1895
do .....	Mary Dean .....	240	Nov. 1, 1895
do .....	Lucinda Skinner .....	264	Feb. 1, 1895
do .....	Toola M. Place .....	264	do 1, 1895
do .....	George C. Doran .....	240	Dec. 1, 1895
do .....	William Barkley .....	336	May 1, 1893
do .....	Thomas Conroy .....	264	do 1, 1895
do .....	Theodore David .....	240	Dec. 1, 1895
do .....	George Bell .....	240	do 1, 1895
do .....	Carl A. Beebe .....	240	Sept. 1, 1895
do .....	D. E. MacDonald .....	348	Oct. 1, 1891
do .....	John H. Murphy .....	312	Sept. 1, 1894
do .....	William J. Barber .....	300	Dec. 1, 1895
do .....	Grace Castle .....	252	June 1, 1895
do .....	Burton M. Castle .....	264	Nov. 1, 1894
do .....	James G. Robinson .....	240	do 1, 1895
do .....	Thomas Dickinson .....	240	Jan. 1, 1896
do .....	Benjamin F. Miller .....	276	June 1, 1894
do .....	John McNeil .....	252	July 1, 1895
do .....	Kate Mooney .....	192	Oct. 1, 1894
do .....	Myrtle Taylor .....	192	May 1, 1895
do .....	Minnie Robertson .....	192	Apr. 1, 1895
do .....	Mary E. Arden .....	180	Sept. 1, 1895
do .....	Margaret McGhie .....	192	May 1, 1895
do .....	Elizabeth Gordon .....	228	June 1, 1893
do .....	Sarah Beaman .....	228	Nov. 1, 1893
do .....	Vinnie V. Knox .....	216	July 1, 1894
do .....	Christina Fitzgibbons .....	156	do 1, 1895
do .....	Mary Shaver .....	156	Dec. 1, 1895
do .....	Ella LaRue .....	156	Oct. 1, 1895
do .....	Annie Hollenbeck .....	252	Jan. 1, 1895
do .....	Mary Earl .....	264	do 1, 1895



## SCHEDULE D — (Continued).

## St. Lawrence State Hospital — (Continued).

Title of position.	NAME.	Salary.	Date of appointment.
Attendant.....	Albert J. Brest.....	\$264	Nov. 1, 1894
do .....	Philip R. Andrews.....	264	Oct. 1, 1894
do .....	Philip McDermott.....	252	July 1, 1895
do .....	Fred R. Marsh.....	240	Nov. 1, 1895
do .....	Charles H. Hoaglin.....	252	Aug. 1, 1895
do .....	Leslie F. Whitman.....	288	do 1, 1893
do .....	Herbert Clark.....	252	July 1, 1895
do .....	John F. Elliott.....	276	do 1, 1894
do .....	Jerome E. Jennie.....	252	do 1, 1895
do .....	John F. Benbow.....	252	June 1, 1895
do .....	William A. Covert.....	252	July 1, 1895
do .....	Marian Gillespie.....	252	June 1, 1894
do .....	Clara Franklin.....	240	do 1, 1895
do .....	Carrie Smith.....	204	Apr. 1, 1894
do .....	Maud C. Covert.....	168	Nov. 1, 1895
do .....	Margaret M. Cox.....	168	Sept. 1, 1895
do .....	Carrie F. Edmunds.....	216	Feb. 1, 1894
do .....	Theresa Beau.....	168	Jan. 1, 1896
do .....	Amelia G. Swift.....	168	Nov. 1, 1895
do .....	Ada Donovan.....	180	May 1, 1895
do .....	Margaret Sherman.....	180	July 1, 1895
do .....	Kate V. Phillips.....	204	Aug. 1, 1894
do .....	Mary E. Stewart.....	168	Sept. 1, 1895
do .....	Lillian Harter.....	180	Apr. 1, 1895
do .....	Catherine Nolan.....	180	July 1, 1895
do .....	Gertrude Palmer.....	180	Apr. 1, 1895
do .....	Estella Beach.....	168	Sept. 1, 1895
do .....	Katie Kearns.....	168	Jan. 1, 1896
do .....	Marian Moran.....	168	Oct. 1, 1895
do .....	Margaret Foye.....	180	June 1, 1895
do .....	Harriet Kilroy.....	180	July 1, 1895
do .....	Nellie Moncrief.....	168	Jan. 1, 1896
do .....	Clara LaSalle.....	180	Aug. 1, 1895
do .....	Emma T. Hogan.....	168	Oct. 1, 1895
do .....	Susie Wallace.....	180	June 1, 1895
do .....	Isabella Caldwell.....	180	July 1, 1895
do .....	Mary J. Hale.....	216	Dec. 1, 1893
do .....	Elizabeth Beaman.....	216	Sept. 1, 1893
do .....	Ad-le Jones.....	192	Feb. 1, 1895
do .....	Minnie LaRue.....	192	Dec. 1, 1894
do .....	Mary Foye.....	204	July 1, 1894

## Hudson River State Hospital.

Storekeeper.....	Louis P. Gillespie.....	576	Feb. 1, 1892
Assistant to Storekeeper.....	Charles S. Pitcher.....	408	Mar. 1, 1892
General Office Work.....	Howard E. Quick.....	396	May 1, 1892
Office Attendant.....	Michael B. Dowd.....	288	Nov. 1, 1893
Housekeeper.....	Frances J. Van Antwerp...	300	Dec. 1, 1895
do .....	Delia Disch.....	300	Jan. 1, 1896
Lineman .....	Elmer A. Maynard.....	420	Aug. 1, 1894
Plumber and Steamfitter.....	Daniel Daley.....	840	Jan. 1, 1891
Baker .....	Carl Barz.....	300	Nov. 1, 1893
do .....	Richard Wassenmaller....	300	May 1, 1894
do .....	Charles Clopper.....	300	Jan. 1, 1895
Meat Cutter.....	Charles Pfeiffer.....	480	Oct. 1, 1886
do .....	John Hopkins.....	264	Feb. 1, 1895
Watchman.....	Thomas Hynes.....	420	Mar. 1, 1888
do .....	Richard Horsfall.....	510	Feb. 1, 1892
do .....	Joseph Kepler.....	510	June 1, 1892
do .....	William East.....	420	Nov. 1, 1893
do .....	Michael Colleton.....	510	Jan. 1, 1878
Policeman .....	George W. Hill.....	420	Dec. 1, 1891
Barber .....	John Sullivan.....	432	Feb. 1, 1893
Fireman .....	Thomas Cole.....	600	Nov. 1, 1894
do .....	John Mahar.....	600	Sept. 1, 1894
do .....	John Rice.....	600	Oct. 1, 1893
do .....	John Gibson.....	600	Dec. 1, 1895
do .....	Frederick A. Yates.....	480	Nov. 1, 1895
do .....	Daniel Cole.....	480	Mar. 1, 1888
do .....	Olin A. Bennett.....	480	Aug. 1, 1891

## SCHEDULE D — (Continued).

## Hudson River State Hospital — (Continued).

Title of position.	NAME.	Salary.	Date of appointment.
Master Mechanic.....	Edward Lange.....	\$1,200	July 1, 1871
Carpenter.....	William Tweedy.....	720	Oct. 1, 1893
do .....	Joseph Hale.....	660	May 1, 1887
do .....	John Nuhn.....	660	Aug. 1, 1891
do .....	John T. Morrissey.....	600	Oct. 1, 1893
do .....	James McLernon.....	600	Jan. 1, 1890
do .....	William De Forrest.....	600	May 1, 1891
do .....	Eugene O'Shea.....	384	Oct. 1, 1893
do .....	Daniel Ryan.....	276	Apr. 1, 1894
Painter.....	Patrick Linnner.....	720	Oct. 1, 1893
do .....	Robert A. Coon.....	462	Jan. 1, 1895
do .....	Stephen Finnegan.....	360	Dec. 1, 1895
Blacksmith .....	John Harmon.....	720	July 1, 1893
Mason.....	Eli Spross.....	40c an hour	do 1, 1893
Head Farmer.....	Henry Dickinson.....	\$690	Aug. 1, 1887
Gardener.....	Peter Smith .....	480	Apr. 1, 1875
Cook .....	Frank Klumpp.....	510	June 1, 1885
do .....	Leopold Glastetter.....	510	Sept. 1, 1889
do .....	Engelbert Schaeffer.....	510	June 1, 1887
do .....	Ferdinand Touze.....	300	July 1, 1892
do .....	Adolph Dluhosch.....	300	Oct. 1, 1891
do .....	Frank Miller.....	300	do 1, 1895
do .....	Margaret Rafferty.....	300	Jan. 1, 1896
do .....	Anna Sampson.....	240	Mar. 1, 1895
do .....	Amelia B. Wyatt.....	240	Nov. 1, 1895
do .....	Anne McCarthy.....	240	Aug. 1, 1885
do .....	Viola E. Hill.....	240	May 1, 1894
do .....	Lizzie Ellis .....	240	Feb. 1, 1895
do .....	Ella K. Bennett .....	240	May 1, 1893
do .....	Carrie Conrad.....	240	June 1, 1892
do .....	Martha E. Stratton .....	240	May 1, 1895
do .....	Rosa Brady .....	240	Sept. 1, 1893
Tailor .....	Robert Watts .....	480	May 1, 1894
Assistant Tailor.....	James Watts.....	276	July 1, 1894
Shoemaker.....	Conrad Neuner .....	480	Dec. 1, 1890
Brush and Broommaker.....	Daniel A. Maloney .....	372	May 1, 1894
Clothing Clerk.....	Lou Barrington ..	360	Sept. 1, 1888
Dressmaker .....	Sophia Gauthier.....	348	Dec. 1, 1891
Seamstress.....	Kate O'Shea .....	216	Sept. 1, 1893
do .....	Bridget Lowery.....	180	do 1, 1895
do .....	Hannah C. Trapp ..	192	Feb. 1, 1895
Tailoress .....	Matie Jeffrey.....	216	May 1, 1894
Mattress-maker. ....	Charles F. Hutchings.....	384	Aug 1, 1893
Photographer .....	Fred Steiner.....	360	Oct. 1, 1895
Overseer of Laundry.....	Claude Valentine .....	720	Aug. 1, 1887
Launderer.....	Newton T. Overdorf .....	300	do 1, 1891
do .....	Louis J. Wurdig.....	300	do 1, 1892
Head Laundress .....	Kittie McGrath .....	300	do 1, 1873
Laundress.....	Mary Christle .....	180	Oct. 1, 1887
do .....	Mary Murray.....	180	Aug. 1, 1888
do .....	Maggie Corcoran .....	180	July 1, 1894
do .....	Nora Murray.....	180	do 1, 1895
do .....	Catherine Leahy.....	180	Aug. 1, 1895
do .....	Nellie Havey.....	180	May 1, 1894
do .....	Lizzie Lennighan .....	180	Oct. 1, 1893
do .....	Kate Corcoran.....	180	July 1, 1894
do .....	Nellie Corcoran.....	180	do 1, 1894
Chief Supervisor .....	William H. Pells .....	600	Sept. 1, 1888
do .....	Alfreda F. McLean.....	528	Aug. 1, 1891
Nurse .....	John J. Whalen.....	336	Jan. 1, 1896
do .....	John D. Mitchell.....	336	do 1, 1896
do .....	Ida L. Bryant.....	324	Aug. 1, 1891
do .....	Mary J. Keenan.....	324	June 1, 1891
do .....	Ellen Bennett.....	276	Jan. 1, 1896
do .....	May Henderson .....	324	Aug. 1, 1891
do .....	Catherine Stephens.....	276	Mar. 1, 1895
do .....	Catherine E. Secor .....	336	Aug. 1, 1888
do .....	Katie B. Riddle .....	336	Sept. 1, 1889
do .....	Hattie L. Constine .....	300	Jan. 1, 1896
do .....	Denis M. Lucey .....	300	do 1, 1896
do .....	Augusta M. Hyatt.....	252	July 1, 1894
do .....	Lucy T. Doyle .....	276	June 1, 1892



## SCHEDULE D — (Continued).

## Hudson River State Hospital — (Continued).

Title of position.	NAME.	Salary.	Date of appointment.
Nurse.....	Jennie Waters .....	\$240	Jan. 1, 1896
do .....	Nellie Cummings .....	252	Dec. 1, 1894
do .....	Julia St. John .....	240	Jan. 1, 1896
Attendant.....	Henry Malcolm .....	300	May 1, 1895
do .....	Thomas J. Murray .....	348	Sept. 1, 1891
do .....	William H. Osborne.....	324	Oct. 1, 1893
do .....	Thomas J. Disch.....	324	do 1, 1893
do .....	A. W. Hammond .....	324	Jan. 1, 1894
do .....	John J. McManus.....	300	Feb. 1, 1895
do .....	George Loney.....	300	Jan. 1, 1896
do .....	C. W. Stone .....	300	do 1, 1896
do .....	Annie L. Morris.....	240	do 1, 1896
do .....	Sarah Bannan .....	264	Mar. 1, 1894
do .....	Lillian J. Croft.....	264	Aug. 1, 1893
do .....	L. Lillie Gray .....	264	Mar. 1, 1894
do .....	Hattie M. Constine .....	252	Nov. 1, 1894
do .....	Mary K. Reilly.....	240	Jan. 1, 1896
do .....	Alice Delaney.....	252	May 1, 1894
do .....	Ella McCarthy .....	240	Jan. 1, 1896
do .....	Gertrude Rathbun.....	240	do 1, 1896
do .....	Roderick MacKenzie .....	288	Sept. 1, 1893
do .....	George J. Whalen .....	276	June 1, 1894
do .....	John Bigelow .....	288	Dec. 1, 1890
do .....	John S. Kane .....	288	Jan. 1, 1892
do .....	William P. Hopkins.....	264	Dec. 1, 1894
do .....	Arthur Smith.....	264	Mar. 1, 1895
do .....	Lucius Keyser.....	264	do 1, 1895
do .....	Frederick Masten.....	276	Apr. 1, 1894
do .....	Charles J. Kipp.....	264	Oct. 1, 1894
do .....	Frank A. Purdy .....	240	Nov. 1, 1895
do .....	George H. Muhlig.....	252	Aug. 1, 1895
do .....	George W. Prout .....	240	Jan. 1, 1896
do .....	Martin Murtaugh.....	240	Dec. 1, 1895
do .....	Bernard E. Mahar .....	240	Jan. 1, 1896
do .....	John Shay .....	288	Apr. 1, 1888
do .....	James W. Scanlan .....	276	May 1, 1894
do .....	William Lyons.....	288	June 1, 1893
do .....	William Griffin.....	252	do 1, 1895
do .....	Edward P. Spencer.....	252	Aug. 1, 1895
do .....	Bruce Miller .....	252	Sept. 1, 1895
do .....	George H. Sutherland .....	252	June 1, 1895
do .....	Michael Golden .....	252	May 1, 1895
do .....	Robert D. Hicks .....	264	Oct. 1, 1894
do .....	Herbert M. Castle.....	240	Jan. 1, 1896
do .....	Daniel Sampson .....	288	Feb. 1, 1893
do .....	John J. McCarthy .....	252	May 1, 1895
do .....	George J. Young. ....	252	July 1, 1895
do .....	Joseph Gray .....	288	Feb. 1, 1889
do .....	Patrick Fitzpatrick.....	288	Sept. 1, 1893
do .....	John Rooney .....	264	Oct. 1, 1894
do .....	Harry C. Mack .....	264	Feb. 1, 1895
do .....	Frank W. Sherman .....	252	Sept. 1, 1895
do .....	Barto H. Powell .....	252	June 1, 1895
do .....	George H. Constine.....	288	Mar. 1, 1893
do .....	John Maguire.....	288	June 1, 1892
do .....	William T. Latimer .....	288	Aug. 1, 1893
do .....	Walter V. A. Norris.....	288	Apr. 1, 1892
do .....	Patrick H. Brannigan .....	264	Oct. 1, 1894
do .....	John H. Dormer .....	264	Dec. 1, 1894
do .....	Franklin A. Burke.....	276	Apr. 1, 1894
do .....	Charles W. Gray.....	252	Sept. 1, 1895
do .....	John H. Pierce .....	252	July 1, 1895
do .....	Edward L. Davis.....	240	Nov. 1, 1895
do .....	James Kelley .....	288	July 1, 1891
do .....	Ambrose Tynan .....	276	do 1, 1894
do .....	Nathaniel Decker.....	264	Oct. 1, 1894
do .....	William C. Skeahan.....	264	do 1, 1894
do .....	James E. Davis .....	252	May 1, 1895
do .....	Edward F. Durnin .....	276	do 1, 1894
do .....	George Killen.....	288	Nov. 1, 1893
do .....	P. F. Fitzgerald.....	288	do 1, 1893



## SCHEDULE D — (Continued).

## Hudson River State Hospital — (Continued).

Title of position.	NAME.	Salary.	Date of appointment.
Attendant.....	Cornelius P. Brinck.....	\$288	Mar. 1, 1893
do .....	Michael Gannon .....	288	June 1, 1893
do .....	George H. Smith.....	240	Jan. 1, 1896
do .....	Henry Iden .....	252	Aug. 1, 1895
do .....	Thomas Louth.....	288	Oct. 1, 1891
do .....	Stephen Taffe.....	264	do 1, 1894
do .....	James A. Hornbeck.....	240	Dec. 1, 1895
do .....	Robert J. Greene.....	240	Jan. 1, 1896
do .....	William P. Irvin.....	288	Apr. 1, 1891
do .....	James P. Murtaugh.....	276	June 1, 1894
do .....	Frederick E. Brome .....	252	do 1, 1895
do .....	John J. Skeahan.....	240	Jan. 1, 1896
do .....	Soren P. Anderson.....	288	Nov. 1, 1892
do .....	Stephen B. Secord .....	288	Apr. 1, 1890
do .....	Grant F. Conrad .....	288	Mar. 1, 1892
do .....	Thomas E. Burke.....	264	Dec. 1, 1894
do .....	Thomas P. Tynan.....	252	June 1, 1895
do .....	James Farnan.....	288	Oct. 1, 1893
do .....	Lawrence Mingey.....	252	May 1, 1895
do .....	George T. Wyatt.....	252	June 1, 1895
do .....	John J. Kanane .....	288	Oct. 1, 1893
do .....	John C. Theiler .....	252	June 1, 1895
do .....	Edgar Stratton.....	252	May 1, 1895
do .....	John B. Archer .....	252	June 1, 1895
do .....	John Connolly.....	264	Nov. 1, 1894
do .....	James Brady .....	288	Aug. 1, 1893
do .....	Michael J. Guilfoil.....	288	do 1, 1892
do .....	Judson J. Phillips.....	360	Mar. 1, 1893
do .....	Thomas F. Kelley.....	300	Aug. 1, 1895
do .....	Patrick E. Rosney .....	360	Jan. 1, 1894
do .....	Thomas J. Pryor.....	300	Nov. 1, 1893
do .....	Levi S. Peck.....	360	Mar. 1, 1895
do .....	Michael Connolly .....	360	Nov. 1, 1891
do .....	Fred W. Coon.....	336	do 1, 1894
do .....	Philip Dorland.....	300	Sept. 1, 1893
do .....	Joseph King.....	360	Nov. 1, 1893
do .....	John J. Draney .....	324	May 1, 1895
do .....	Reuben W. Bennett.....	360	Mar. 1, 1893
do .....	Richard E. Geise .....	276	Dec. 1, 1894
do .....	James R. Powell .....	252	do 1, 1895
do .....	William E. Burke.....	248	July 1, 1894
do .....	Florence Campbell.....	216	Oct. 1, 1893
do .....	Idella H. Muhlig.....	240	Nov. 1, 1895
do .....	Ella V. Dewey .....	216	Oct. 1, 1894
do .....	Sarah Ward.....	216	do 1, 1893
do .....	Emma Slater .....	192	do 1, 1894
do .....	Louise Andersen Kane.....	216	Nov. 1, 1893
do .....	Emma D. Hatch .....	180	Sept. 1, 1895
do .....	Susie Skeahan .....	192	Oct. 1, 1894
do .....	Katie M. Rapelyea.....	180	June 1, 1895
do .....	Anna B. Hillock.....	168	Dec. 1, 1895
do .....	Ella T. Mahar.....	216	do 1, 1892
do .....	Mary Fagan.....	204	Sept. 1, 1894
do .....	Sarah East.....	288	Nov. 1, 1893
do .....	Mary Mulhare.....	192	Sept. 1, 1894
do .....	Sarah Morrow .....	216	do 1, 1893
do .....	Nellie Fenton.....	216	do 1, 1893
do .....	Gertrude Smythe.....	216	Nov. 1, 1893
do .....	Nellie A. Doughty.....	168	Dec. 1, 1896
do .....	Alice Duffy .....	216	Feb. 1, 1894
do .....	Margaret C. Mahar .....	180	May 1, 1895
do .....	Ida Slater.....	180	Sept. 1, 1895
do .....	Anna Gilbride.....	168	Jan. 1, 1896
do .....	Jennie Mulharen .....	204	Aug. 1, 1894
do .....	Jessie I. Robinson .....	168	Jan. 1, 1896
do .....	Flora B. Castle.....	168	do 1, 1896
do .....	Laura Beltz.....	216	Sept. 1, 1893
do .....	Blanche T. Wigg.....	216	May 1, 1893
do .....	Mabel A. Tuttle.....	192	Nov. 1, 1894
do .....	Anna Weeks .....	204	May 1, 1894
do .....	Mary Meighan.....	204	Sept. 1, 1894

SCHEDULE D — (Continued).

Hudson River State Hospital — (Continued).

Title of position.	NAME.	Salary.	Date of appointment.
Attendant.....	Mary Killen.....	\$192	Feb. 1, 1894
do .....	Anna Lagotte.....	168	Dec. 1, 1895
do .....	Rhoana Morris.....	168	do 1, 1895
do .....	Josephine E. Osborne.....	288	Feb. 1, 1894
do .....	Mary M. Durnin.....	276	May 1, 1894
do .....	Ellen Ryan.....	180	do 1, 1895
do .....	Catherine Habretta.....	180	Aug. 1, 1895
do .....	Grace B. La Due.....	180	May 1, 1895
do .....	Sinda McVeigh.....	216	Nov. 1, 1893
do .....	Julia Cleary.....	216	do 1, 1893
do .....	Annie E. Newman.....	168	Jan. 1, 1896
do .....	Margaret O'Connors.....	168	do 1, 1896
do .....	Lizzie Simms.....	180	Sept. 1, 1895
do .....	Margaret Kanane.....	180	May 1, 1895
do .....	Mary McGuarn.....	168	Dec. 1, 1895
do .....	Alice McNulty.....	168	Nov. 1, 1895
do .....	Grace Hindee.....	216	Feb. 1, 1894
do .....	Sarah E. Golden.....	180	June 1, 1895
do .....	Nannie Dowdell.....	180	Sept. 1, 1895
do .....	Grace Brown.....	216	Jan. 1, 1895
do .....	Jennie Hynes.....	168	Oct. 1, 1895
do .....	Alice Rittie.....	168	Dec. 1, 1895
do .....	Margaret Farnan.....	192	do 1, 1894
do .....	Mary E. Delaney.....	192	Jan. 1, 1895
do .....	Mary E. O'Brien.....	192	Nov. 1, 1894
do .....	Bertha Hinchey.....	264	July 1, 1894
do .....	Margaret Commerford.....	204	Dec. 1, 1894
do .....	Minerva H. Starr.....	216	Sept. 1, 1894
do .....	Mary E. Kelly.....	228	Dec. 1, 1892
do .....	Barbara Curtis.....	192	Aug. 1, 1895
do .....	Kate Giblin.....	216	do 1, 1894
do .....	Bridget L. Coggins.....	180	June 1, 1895
do .....	Anna Gutkowska.....	228	Mar. 1, 1894
do .....	Mary Gilbride.....	192	Oct. 1, 1894
do .....	Rose Gilmartin.....	192	May 1, 1895
do .....	Mary Dillon.....	192	July 1, 1895
do .....	Margaret L. McQuien.....	204	Mar. 1, 1895

Rochester State Hospital.

Storekeeper.....	J. W. Sullivan.....	532	June 1, 1893
Tailor.....	Otto Alber.....	480	Sept. 2, 1891
Shoemaker.....	E. Swartelle.....	480	Jan. 1, 1896
Carpenter.....	John Michel.....	600	July 1, 1891
Painter.....	L. Van Valkenburg.....	600	do 1, 1891
Fireman.....	W. E. Scott.....	480	do 1, 1891
do .....	L. W. Davis.....	480	Sept. 17, 1894
Head Farmer.....	C. Sullivan.....	630	Oct. 1, 1889
Herdsman.....	John Sullivan.....	354	May 1, 1893
Gardener.....	William Kuhn.....	540	Jan. 1, 1896
Florist.....	Charles Muhlbeier.....	480	Apr. 1, 1895
Launderer.....	E. J. Broadbridge.....	230	Sept. 12, 1893
do .....	George W. Coates.....	330	Jan. 1, 1896
Head Launderess.....	Agnes Weigand.....	330	July 1, 1891
Launderess.....	Anna Bray.....	180	May 1, 1895
Head Cook.....	Josephine Tullius.....	510	Dec. 10, 1890
Cook.....	Kate Guizan.....	300	May 2, 1895
do .....	Rose Kane.....	268	June 27, 1894
do .....	Etta Burchard.....	268	do 3, 1895
Baker.....	W. Koehler.....	630	Aug. 22, 1891
Meat Cutter.....	Charles Ulrich.....	480	Jan. 1, 1896
Watchman.....	Martin Lennon.....	510	do 1, 1896
Barber.....	Fred W. Miller.....	360	July 1, 1895
Chief Supervisor.....	David Ballagh.....	552	Dec. 1, 1892
do .....	Julia Keyes.....	492	do 1, 1892
Nurse.....	Wilbert Snider.....	360	Nov. 1, 1893
do .....	John Guisan.....	372	Dec. 1, 1892
do .....	Carrie Albecker.....	300	June 1, 1893
do .....	Julia Strong.....	288	do 1, 1894
do .....	Margaret Scott.....	312	Dec. 1, 1892



## SCHEDULE D — (Continued).

## Rochester State Hospital — (Continued).

Title of position.	NAME.	Salary.	Date of appointment.
Nurse.....	Franc D. Morley.....	\$312	Dec. 1, 1892
do .....	Nellie Atkinson.....	300	June 1, 1893
do .....	Anna R. Hogan.....	288	do 1, 1894
do .....	Dora Longfellow.....	324	Dec. 1, 1892
do .....	Francis Baird.....	300	June 1, 1895
do .....	Lyman D. Strong.....	300	do 1, 1895
do .....	Fred Anderson.....	312	do 1, 1895
do .....	William L. Buck.....	324	do 1, 1894
do .....	George R. Ingraham.....	330	do 1, 1895
do .....	George E. Bennett.....	300	do 1, 1895
do .....	John C. Anderson.....	300	do 1, 1895
do .....	Eliza J. Coyne.....	300	Sept. 1, 1895
do .....	Leora W. Pellette.....	240	June 1, 1895
do .....	Mary H. Budlong.....	252	do 1, 1895
do .....	Thirza E. Howland.....	240	do 1, 1895
do .....	Mary E. Connor.....	240	do 1, 1895
do .....	Georgena Flindall.....	252	do 1, 1895
Special Attendant .....	Jessie McAnn.....	300	Jan. 1, 1896
do .....	Maggie Johnstone.....	300	do 1, 1896
do .....	Arthur Bowerman.....	360	do 1, 1896
do .....	Stephen Farrell.....	360	do 1, 1896
do .....	Frank Robb.....	408	July 1, 1891
do .....	Etta White.....	324	Jan. 1, 1894
do .....	Kate Ballagh.....	312	Sept. 1, 1893
do .....	Ella Lansing.....	300	Dec. 1, 1895
do .....	George Clickner.....	402	May 1, 1894
Attendant .....	William Kennedy.....	348	Oct. 1, 1891
do .....	Wendel Smith.....	462	do 1, 1890
do .....	L. J. Sullivan.....	300	Jan. 1, 1896
do .....	Carrie Kennedy.....	288	Oct. 1, 1893
do .....	Samuel Long.....	276	June 1, 1894
do .....	Walter Hamil.....	264	Oct. 1, 1894
do .....	Frank Clifford.....	252	Apr. 1, 1895
do .....	Jacob Dietz.....	288	Feb. 1, 1894
do .....	J. Molyneux.....	276	Mar. 1, 1894
do .....	William Eldredge.....	276	Aug. 1, 1894
do .....	W. Davis.....	390	Mar. 1, 1890
do .....	Anna Michel.....	288	Oct. 1, 1893
do .....	W. W. Hamil.....	240	do 1, 1895
do .....	D. McAnn.....	288	do 1, 1892
do .....	Patrick Sheridan.....	276	Mar. 1, 1894
do .....	D. Budlong.....	276	do 1, 1894
do .....	John L. Budlong.....	252	Oct. 1, 1895
do .....	E. K. Wadsworth.....	240	Jan. 1, 1896
do .....	Mary E. Mullane.....	196	do 1, 1892
do .....	Agnes Connor.....	168	Oct. 1, 1895
do .....	Adoline Twardokus.....	192	Feb. 1, 1895
do .....	Mary J. Duffy.....	168	Dec. 1, 1895
do .....	Lizzie Smith.....	318	Sept. 1, 1890
do .....	Hannah Sullivan.....	168	Oct. 1, 1895
do .....	Mary McAnn.....	180	June 1, 1895
do .....	Matie Tooley.....	196	Apr. 1, 1894
do .....	Anna Farrell.....	196	Sept. 1, 1892
do .....	Mary O'Hanlon.....	196	Nov. 1, 1892
do .....	Kittie B. Meagher.....	204	Mar. 1, 1894
do .....	Lizzie Fitzgerald.....	168	Dec. 1, 1895
do .....	Anna M. Grebe.....	168	do 1, 1895
do .....	Nora L. Harris.....	192	May 1, 1895
do .....	Julia McGrath.....	196	Aug. 1, 1893
do .....	C. E. Mason.....	196	Nov. 1, 1891
do .....	Julia D. Enright.....	196	do 1, 1892
do .....	Margaret Desmond.....	196	Oct. 1, 1893
do .....	Minnie McGrath.....	196	Jan. 1, 1894
do .....	Mary B. Nichols.....	168	Dec. 1, 1895
do .....	Libbie M. Wagner.....	196	Aug. 1, 1893
do .....	Mary Curtin.....	196	June 1, 1890
do .....	Barbara L. Grebe.....	168	Dec. 1, 1895
do .....	Nellie Farley.....	196	July 1, 1893
do .....	Lena Kuhnmuench.....	156	Jan. 1, 1896



## SCHEDULE D — (Continued).

## Utica State Hospital.

Title of position.	NAME.	Salary.	Date of appointment.
Storekeeper .....	Pugh R. Price .....	\$500	Jan. 1, 1896
Master Mechanic .....	Charles W. Metz .....	1,320	do 1, 1896
Foreman .....	John Q. Hughes .....	840	do 1, 1896
Fireman .....	J. Graham .....	600	Apr. 26, 1864
do .....	G. A. Grant .....	480	Nov. 26, 1891
do .....	J. B. Roberts .....	480	Sept. 8, 1892
do .....	John Clarke .....	480	Dec. 1, 1894
Baker .....	C. Reiss .....	600	Apr. 17, 1879
do .....	H. Siebenist .....	480	do 25, 1888
Photographer .....	M. Jensen .....	360	Sept. 20, 1892
Watchman .....	J. D. Ferris .....	540	July 6, 1880
Cook .....	L. D. Vining .....	360	Oct. 1, 1892
do .....	Frances Sheerin .....	216	Dec. 12, 1887
do .....	F. J. Hahn .....	360	Oct. 29, 1890
do .....	Rachael A. Sterries .....	240	do 12, 1895
do .....	Mary Kelley .....	240	Jan. 1, 1896
do .....	Auguste Reschke .....	240	do 1, 1896
do .....	Kate Moran .....	240	Mar. 21, 1895
do .....	J. Burkhard .....	360	Nov. 6, 1890
Dressmaker .....	Sarah J. Dodge .....	240	Sept. 18, 1856
Cutter .....	Mary E. Owens .....	216	Apr. 16, 1873
Seamstress .....	Helen C. Fischer .....	192	Dec. 20, 1869
do .....	Sarah Sterling .....	216	Mar. 22, 1871
do .....	Jane McGill .....	192	do 1, 1881
Gardener .....	M. Torpey .....	540	Apr. 10, 1863
do .....	E. Hendricks .....	480	June 30, 1888
Florist .....	J. M. Matti .....	600	Mar. 1, 1884
Tailor .....	J. S. Coonrod .....	576	June 13, 1891
Tailoress .....	Frances Breitling .....	391	Mar. 31, 1892
Mender .....	Hannah Law .....	168	Oct. 9, 1883
Carpenter .....	J. Maus .....	704	July 7, 1892
do .....	J. E. Greenhill .....	704	do 15, 1893
do .....	W. Demler .....	782	Aug. 20, 1893
Plumber .....	H. E. Austin .....	600	Sept. 17, 1884
Combmaker .....	Bernard Shannahan .....	600	Nov. 9, 1894
Mason .....	J. Kopp .....	782	Apr. 11, 1887
Tinsmith .....	F. W. Tyler .....	626	May 3, 1889
Painter .....	H. J. Keller .....	782	Oct. 2, 1882
do .....	J. F. Shofer .....	540	May 13, 1887
Shoemaker .....	J. C. Frey .....	480	June 13, 1887
Barber .....	W. Diefenbach .....	540	do 17, 1889
Butcher .....	C. Hunzinger .....	600	Mar. 30, 1893
Shoemaker .....	Thomas Judge .....	489	June 17, 1895
Bookbinder .....	E. Utting .....	624	May 13, 1889
Upholsterer .....	J. E. Down .....	600	Apr. 4, 1887
Farmer .....	S. Russell .....	660	do 14, 1856
Laundryman .....	T. D. Creamer .....	720	Sept. 15, 1890
do .....	G. A. Williams .....	540	do 15, 1890
Bath Master .....	W. S. Jones .....	540	Nov. 27, 1889
Bath Mistress .....	Phoebe Jones .....	252	Sept. 10, 1894
Charge Laundry .....	Eliza Watson .....	216	July 17, 1872
Laundress .....	Sarah A. Robertson .....	313	Dec. 9, 1892
do .....	Nora Harty .....	264	Sept. 2, 1885
do .....	Lizzie McFarland .....	252	Nov. 6, 1888
do .....	Kate Doyle .....	313	Oct. 6, 1892
do .....	Sarah E. Saunders .....	252	Apr. 5, 1892
do .....	Bertha Killian .....	252	Nov. 15, 1887
do .....	Rebecca Zipp .....	252	Apr. 1, 1895
Soapmaker .....	T. W. Morgan .....	480	Mar. 6, 1893
Chief Supervisor .....	Fred C. Smith .....	630	Jan. 1, 1896
do .....	Amy Sterling .....	540	do 1, 1896
Supervisor .....	Frederick Dillon .....	420	do 1, 1896
do .....	Helen Gawkins .....	432	do 1, 1896
Nurse .....	Benjamin R. Whitaker .....	300	do 1, 1896
do .....	Peter McHugo .....	372	do 1, 1899
do .....	Thomas H. Quigley .....	312	do 1, 1896
do .....	Lachlan Smith .....	312	do 1, 1896
do .....	Frank Stuteley .....	372	do 1, 1896
do .....	Hugh Fahv .....	360	do 1, 1896
do .....	William A. DeVolt .....	300	do 1, 1896
do .....	William Shofer .....	336	do 1, 1896
do .....	George H. Lee .....	402	do 1, 1896

## THIRTEENTH REPORT OF THE

## SCHEDULE D — (Continued).

## Utica State Hospital — (Continued).

Title of position.	NAME.	Salary.	Date of appointment.
Nurse .....	John J. Kelley .....	\$300	Jan. 1, 1896
do .....	William Concannon .....	372	do 1, 1896
do .....	John M. Jones .....	312	do 1, 1896
do .....	Charles Miller .....	336	do 1, 1896
do .....	Thomas H. Kelley .....	336	do 1, 1896
do .....	Simon S. Hahn .....	300	do 1, 1896
do .....	S. Francis White .....	276	do 1, 1896
do .....	Pauline Klein .....	336	do 1, 1896
do .....	Sarah Burberry .....	168	Aug. 12, 1893
do .....	Bertha G. Laird .....	156	Nov. 20, 1893
do .....	Nellie Norton .....	144	May 15, 1894
do .....	Maggie Donnigan .....	156	Jan. 31, 1894
do .....	Jennie Bancroft .....	192	May 4, 1892
do .....	Anna Burns .....	240	Dec. 19, 1870
do .....	Anna Cambrige .....	168	Oct. 3, 1892
do .....	Lizzie Judge .....	216	Aug. 4, 1892
do .....	Flora M. McGrath .....	192	May 7, 1889
do .....	Agnes L. Davenport .....	168	July 3, 1893
do .....	Bell Lambert .....	168	Feb. 4, 1892
do .....	Lizzie Daly .....	168	June 5, 1893
do .....	Martha Pritchard .....	168	May 17, 1893
do .....	Frances E. Forbes .....	168	Oct. 11, 1892
do .....	Mary J. Lally .....	192	Feb. 9, 1893
do .....	Jennie Boulton .....	180	Mar. 14, 1893
do .....	Rose McCormick .....	168	Feb. 26, 1894
do .....	Mary Johnson .....	240	Mar. 7, 1889
do .....	Lizzie Rowlands .....	240	Sept. 30, 1893
do .....	Lizzie E. Roberts .....	168	May 30, 1892
do .....	Mary Boyle .....	180	Sept. 14, 1892
do .....	Isabelle Miller .....	144	Mar. 18, 1895
do .....	N. F. Wheeler .....	144	Aug. 18, 1894
do .....	Rose O'Connor .....	216	Dec. 28, 1890
do .....	Jennie V. Pierce .....	192	Apr. 30, 1891
do .....	Mabel R. Lambert .....	144	Sept. 8, 1894
do .....	Mary W. Hughes .....	168	Aug. 15, 1893
do .....	Lizzie Butler .....	168	Feb. 18, 1893
do .....	Maggie H. Jones .....	156	do 1, 1894
do .....	Nellie Waldron .....	192	May 17, 1883
do .....	Emma Bauer .....	168	Feb. 18, 1890
do .....	Delia Waldron .....	192	July 18, 1888
do .....	Maggie Lee .....	168	do 17, 1893
do .....	Celia J. Hooper .....	240	Mar. 17, 1891
do .....	Anna E. Davies .....	168	do 21 1893
do .....	Mary A. Lee .....	168	Aug. 28, 1893
do .....	Anna Griffith .....	144	June 4, 1894
do .....	Edith Jocelyn .....	180	Sept 26, 1892
do .....	Anna Blust .....	144	July 18, 1894
do .....	Amelia Swackhamer .....	168	Sept. 26, 1892
Special Attendant .....	Etta Leonard .....	360	.....
do .....	Griffith Evans .....	360	.....
Attendant .....	J. Lynn .....	312	Jan. 29, 1885
do .....	T. E. Evans .....	288	May 7, 1892
do .....	H. Thomas .....	264	Jan 29, 1894
do .....	S. H. Idzinga .....	240	June 5, 1894
do .....	J. R. Roberts .....	288	July 25, 1893
do .....	N. Shoemaker .....	240	May 21, 1894
do .....	H. F. Manley .....	264	Mar. 15, 1893
do .....	Maggie Gorman .....	240	May 21, 1886
do .....	Rose K. Schindler .....	216	Apr. 26, 1889
do .....	Amy Mason .....	204	Aug. 19, 1889
do .....	Inez B. Gierman .....	192	Feb. 3, 1892
do .....	Mary McClelland .....	192	Aug. 1, 1892
do .....	O. McNally .....	288	Oct. 10, 1892
do .....	R. J. Morris .....	240	May 28, 1894
do .....	F. P. McIntyre .....	312	June 1, 1892
do .....	J. R. Miller .....	312	Dec. 2, 1893
do .....	H. J. Laver .....	288	Sept. 29, 1892
do .....	J. W. Morgan .....	288	May 3, 1894
do .....	F. McCann .....	240	June 27, 1894
do .....	J. D. Noonan .....	264	Apr. 16, 1894
do .....	J. Gill .....	240	May 10, 1894
do .....	T. T. Morris .....	264	June 28, 1893



## SCHEDULE D — (Continued).

## Utica State Hospital — (Continued).

Title of position.	NAME.	Salary.	Date of appointment.
Attendant.....	Thomas Hendricks .....	\$420	Sept. 17, 1894
do .....	George Maidee.....	144	Nov. 9, 1894
do .....	Jacob J. Schremp.....	240	do 10, 1894
do .....	Olive Paquett .....	144	do 10, 1894
do .....	Effie J. Salisbury .....	144	do 24, 1894
do .....	Margaret Carroll .....	144	Dec. 1, 1894
do .....	Wilhemina Gierman.....	144	do 5, 1894
do .....	Edward Blust.....	240	do 27, 1894
do .....	Lillie M. Jones.....	144	Jan. 7, 1895
do .....	George Murphy.....	180	do 21, 1895
do .....	J. M. S-well.....	288	Mar. 25, 1895
do .....	J. P. A. Lallement.....	240	Apr. 16, 1895
do .....	May E. Waterman.....	144	do 22, 1895
do .....	Eliz. A. Hughes .....	144	do 23, 1895
do .....	M. E. C. Bryden.....	144	May 3, 1895
do .....	G. J. Pride .....	240	do 4, 1895
do .....	Lizzie F. Thomas .....	144	do 8, 1895
do .....	Joel S. Hooper.....	240	do 20, 1895
do .....	Daisy A. Bellinger .....	144	do 27, 1895
do .....	W. J. Hackett.....	240	June 1, 1895
do .....	F. M. Burns .....	240	do 5, 1895
do .....	Ann M. Waldron.....	216	do 5, 1895
do .....	M. Viola Burton .....	144	do 6, 1895
do .....	E. A. Ellsworth.....	144	do 4, 1895
do .....	C. H. Donchue .....	144	do 17, 1895
do .....	Louis Schmitt.....	240	do 17, 1895
do .....	Louisa W. Dressel .....	144	do 25, 1895
do .....	W. A. Thomas.....	600	July 11, 1895
do .....	Herbert Blackburn .....	240	do 20, 1895
do .....	Mary A. Whalen .....	144	do 16, 1895
do .....	Susan Carroll .....	144	Aug. 1, 1895
do .....	Patrick H. Lucey .....	240	do 8, 1895
do .....	Lou E. Gorsline.....	144	do 26, 1895
do .....	William J. Kelly .....	240	Sept. 4, 1895
do .....	Frank Barden.....	240	do 4, 1895
do .....	Clarence E. Clark.....	240	do 4, 1895
do .....	Herman Peterson.....	240	do 26, 1895
do .....	Robert W. Weekes.....	240	do 27, 1895
do .....	Henry Leitner .....	240	Oct. 3, 1895
do .....	Kittie Gorman .....	144	do 9, 1895
do .....	Sarah Kingsbury .....	144	do 11, 1895
do .....	Susan P. Barberry .....	144	do 15, 1895
do .....	Clara A. Jacobs.....	144	do 29, 1895
do .....	Nellie McCann .....	156	do 29, 1895
do .....	Mary J. Geary .....	144	Nov. 2, 1895
do .....	William H. Spies .....	240	do 13, 1895
do .....	Grace Willis .....	168	do 14, 1895
do .....	J-nnie M. Buckley .....	144	do 25, 1895
do .....	Mary E. Weibee .....	144	do 25, 1895
do .....	Hattie DeWitt .....	144	Dec. 28, 1895

## Willard State Hospital.

Housekeeper.....	Mary Kitson .....	360	Nov. 1, 1875
do .....	Abigail E. Bowlby .....	360	Apr. 1, 1886
do .....	Sarah E. Rolfe .....	312	Dec. 1, 1894
Watchman.....	Robert Wilson .....	420	Nov. 1, 1881
do .....	William Kerr .....	420	Sept. 1, 1893
do .....	Theodore C. Selfridge .....	420	Nov. 1, 1886
Policeman.....	Patrick O'Handlan .....	420	do 1, 1895
do .....	Guy E. Sager.....	420	do 1, 1895
Storekeeper.....	Francis E. Young.....	600	July 1, 1884
Tailor .....	Ernest F. Gilgen .....	600	Mar. 1, 1891
Shoemaker .....	Thomas Latimer.....	480	do 1, 1874
Barber .....	Franklin C. Knapp .....	528	Dec. 1, 1893
Gardener .....	Patrick M. Feehan.....	480	Apr. 1, 1890
Plumber and Steamfitter .....	Marion A. Gregory .....	720	Aug. 1, 1890
Mason.....	James Feehan .....	30c. an h'r	Jan. 1, 1870
Painter.....	Elliott S. Andrus.....	\$600	Nov. 1, 1877
Meat Cutter.....	William F. Lyons .....	480	May 1, 1889



## SCHEDULE D — (Continued).

## Willard State Hospital — (Continued).

Title of position.	NAME.	Salary.	Date of appointment.
Head Farmer .....	Christian Lund .....	\$630	July 1, 1895
Baker .....	James C. McDonald .....	600	Nov. 1, 1888
do .....	Dennis Lochren .....	300	June 1, 1883
do .....	Matthew Maynes .....	300	July 1, 1882
Head Carpenter .....	George S. Rowley .....	810	Jan. 1, 1873
Carpenter .....	Frank M. Smith .....	720	Sept. 1, 1894
do .....	William Davis .....	630	Aug. 1, 1873
do .....	John E. Walsh .....	600	Nov. 1, 1883
Conductor .....	Charles F. Beach .....	216	June 1, 1883
do .....	John Quinn .....	162	Nov. 1, 1892
Fireman .....	Charles R. Maughan .....	480	do 1, 1894
do .....	Francis E. Norton .....	480	Oct. 1, 1892
do .....	Michael Carahar .....	480	Feb. 1, 1895
do .....	James J. Robert .....	216	Jan. 1, 1896
do .....	Edward Brennan .....	162	June 1, 1892
do .....	Patrick Hoey .....	480	Dec. 1, 1883
do .....	Darwin C. Covert .....	480	Jan. 1, 1894
do .....	Melvin S. Austin .....	480	Sept. 1, 1894
do .....	Samuel R. Finley .....	480	Jan. 1, 1896
do .....	John Martin .....	480	Oct. 1, 1889
do .....	James Martin .....	480	Nov. 1, 1894
do .....	Washington Hardenbrook .....	480	June 1, 1882
do .....	Peter McKenna .....	480	Dec. 1, 1879
do .....	Timothy Tierney .....	480	Jan. 1, 1878
do .....	George Turnbull .....	480	Oct. 1, 1887
do .....	Patrick Rafferty .....	480	Apr. 1, 1872
Cook .....	Ella Sturges .....	300	do 1, 1888
do .....	Mary Killen .....	300	July 1, 1890
do .....	Anna Duffy .....	300	May 1, 1887
do .....	Margaret Conroy .....	300	Dec. 1, 1892
do .....	Laura A. Robinson .....	300	Nov. 1, 1894
do .....	Emma Batchelder .....	300	June 1, 1893
do .....	Margaret McGrane .....	300	Feb. 1, 1874
do .....	Jane Kelly .....	240	July 1, 1880
do .....	Susan B. Smith .....	240	Jan. 1, 1875
do .....	Bridget Ryan .....	240	Oct. 1, 1892
do .....	James Hanlon .....	216	do 1, 1893
do .....	Thomas Roarke .....	240	June 1, 1892
Laundry Overseer .....	John T. Hager .....	600	Oct. 1, 1892
Head Laundress .....	Bridget McGhan .....	300	Apr. 1, 1881
Laundress .....	Ann Toner .....	180	Sept. 1, 1887
do .....	Ann McKittrick .....	180	Oct. 1, 1894
do .....	Elizabeth Jeffrey .....	180	do 1, 1893
do .....	Anna Merriman .....	180	May 1, 1894
do .....	Clara C. Hager .....	180	Nov. 1, 1895
do .....	Mary McGrane .....	180	Aug. 1, 1884
do .....	Julia McGhan .....	180	Feb. 1, 1877
do .....	Ellen Q. Vreeland .....	180	Apr. 1, 1895
do .....	Catharine Toner .....	180	Mar. 1, 1895
Chief Supervisor .....	William Farley .....	600	July 1, 1887
Supervisor .....	Henry Kitson .....	540	Nov. 1, 1875
do .....	William T. Bowlby .....	540	Apr. 1, 1886
do .....	Patrick Roe .....	540	May 1, 1877
do .....	John Donovan .....	540	Dec. 1, 1873
do .....	Samuel L. Crawford .....	456	Feb. 1, 1894
do .....	Minnie McIntyre .....	432	Oct. 1, 1892
do .....	Anna C. Lovelace .....	480	Feb. 1, 1887
do .....	Harriet L. Van Hoesen .....	480	May 1, 1884
do .....	Martha A. Tierney .....	396	do 1, 1894
do .....	Elizabeth M. Nichols .....	360	Sept. 1, 1895
do .....	Elizabeth Murnihan .....	372	Apr. 1, 1895
Nurse .....	James H. Ryan .....	372	July 1, 1892
do .....	Christopher Carr .....	348	do 1, 1894
do .....	James Piercy .....	348	do 1, 1894
do .....	Mary J. Merriman .....	288	do 1, 1894
do .....	Elizabeth Gates .....	276	Oct. 1, 1895
do .....	David Crawford .....	372	Jan. 1, 1889
Special Attendant (Clothing Clerk) .....	Ellen G. McKee .....	348	Sept. 1, 1891
do .....	Patrick H. Martin .....	420	May 1, 1882
Special Attendant (Dressmaker) .....	Margaret W. Rich .....	360	Apr. 1, 1882
Special Attendant (Mechanical Work) .....	Patrick Feehan .....	420	Oct. 1, 1871

## SCHEDULE D — (Continued).

## Willard State Hospital — (Continued).

Title of position.	NAME.	Salary.	Date of appointment.
Special Attendant (Mechanical Work)	John H. Tierney.....	\$396	Jan. 1, 1893
do do	John Conley.....	360	Aug. 1, 1895
Special Attendant (Mason's Tender) ..	Patrick Henratta.....	420	Apr. 1, 1895
Special Attendant (Meat Cutter).....	John J. Lyons.....	384	do 1, 1893
Special Attendant (Carpenter).....	Elisha Brockway.....	480	Jan. 1, 1896
Special Attendant (Painter).....	Frank Andrus.....	420	do 1, 1886
Special Attendant (Tailoress).....	Eliza M. Smith.....	360	Apr. 1, 1881
Special Attendant.....	Catharine Ryan.....	324	do 1, 1893
Special Attendant (Launderer).....	George E. Van Court.....	384	Sept. 1, 1893
Special Attendant (Janitor).....	Don S. Travis.....	480	Apr. 1, 1895
Attendant (Teacher).....	Francis M. Hamlin.....	264	Dec. 1, 1894
Attendant (Messenger).....	Christopher J. Merriman..	288	Aug. 1, 1893
Attendant (Porter).....	John D. Murphy.....	288	Apr. 1, 1887
do .....	Patrick Lyman.....	288	May 1, 1893
do .....	James Doyle.....	288	do 1, 1881
do .....	Owen McGrath .....	288	Oct. 1, 1891
do .....	George H. White.....	288	Apr. 1, 1891
do .....	Stephen Feehan .....	288	Nov. 1, 1891
Attendant (Usher).....	John R. Steele .....	264	Dec. 1, 1894
Attendant detailed as Assistant Store-keeper .....	Miller I. McHenry.....	330	Nov. 1, 1895
Attendant detailed as Assistant Baker	Patrick R. Ryan .....	264	do 1, 1894
Attendant detailed as Shoemaker....	James A. Lyons.. ..	288	Jan. 1, 1890
Attendant detailed as Painter .....	John K. Vreeland .....	288	July 1, 1893
do do .....	Doctor C. Morvan.....	288	Oct. 1, 1884
do do .....	Thomas H. Martin.....	288	Aug. 1, 1893
do do .....	Arthur J. Watts .....	288	May 1, 1892
do do .....	James Quinn.....	288	June 1, 1892
do do .....	E. Denton Johnson .....	240	Oct. 1, 1895
do do .....	Cornelius J. Crowley.....	276	May 1, 1894
Attendant detailed as Furniture Mender.....	Henry A. Conley.....	288	Mar. 1, 1892
Attendant detailed as Glazier .....	Leroy Vreeland.....	264	Nov. 1, 1894
Attendant detailed as Carpenter .....	Chester A. Vreeland .....	288	Dec. 1, 1895
do do .....	Will A. Shimer .....	318	Sept. 1, 1892
do do .....	William T. Lyke .....	252	Apr 1, 1895
Attendant detailed to Electric Light Department.....	James Quinn, Jr.....	264	Aug. 1, 1894
Attendant detailed as Asst. Tailoress.	Margaret E. Tole.....	216	Oct. 1, 1889
do do .....	Nellie Gilgan.....	288	Nov. 1, 1895
do do .....	Mary H. Button.....	204	Mar. 1, 1894
Attendant detailed as Seamstress...	Ida T. McKee.....	216	Jan. 1, 1893
do do .....	Elizabeth M. Hault .....	192	Oct. 1, 1894
Attendant detailed as Launderer.....	John Feehan.....	288	May 1, 1881
do do .....	Martin McManus.....	288	Aug. 1, 1879
do do .....	Nicholas Durnin .....	288	Dec. 1, 1888
do do .....	John Keating.....	288	Jan. 1, 1889
do do .....	George Esenwine .....	288	May 1, 1893
do do .....	Orlin Hager .....	252	Mar. 1, 1895
Attendant.....	William Harvison.....	336	Oct. 1, 1892
do .....	Peter McDermott.....	312	Jan. 1, 1895
do .....	John E. Rice.....	348	Apr. 1, 1891
do .....	Peter Doran.....	336	June 1, 1892
do .....	William H. Barry.....	300	Sept. 1, 1895
do .....	James Cranney .....	360	Dec. 1, 1884
do .....	Peter Connor .....	348	June 1, 1891
do .....	John Carabar .....	300	Dec. 1, 1895
do .....	Andrew Cannon.....	336	do 1, 1892
do .....	Anders P. Anderson .....	324	Oct. 1, 1893
do .....	William Stockdale .....	300	Sept. 1, 1895
do .....	Owen Gartland .....	324	do 1, 1893
do .....	Frederick Rice.....	300	Jan. 1, 1896
do .....	Hugh McCarron.....	324	Aug. 1, 1893
do .....	John Hernon.....	300	June 1, 1895
do .....	Hoter C. Moller.....	300	Aug. 1, 1895
do .....	Patrick Rourke .....	300	Dec. 1, 1895
do .....	George Healas .....	348	Oct. 1, 1895
do .....	Patrick Marks .....	324	Mar. 1, 1891
do .....	James Dougherty.....	348	July 1, 1891
do .....	Niels C. Nielsen .....	300	Apr. 1, 1893
do .....	Joseph Clarke.....	324	July 1, 1893
do .....	John Dougherty .....	324	June 1, 1893



## SCHEDULE D — (Continued).

## Willard State Hospital — (Continued).

Title of position.	NAME.	Salary.	Date of appointment.
Attendant.....	Gilbert T. Sears.....	\$324	May 1, 1893
do .....	William Hyna.....	324	Dec. 1, 1893
do .....	William Harte .....	336	Nov. 1, 1892
do .....	Rose A. Keenan.....	384	Sept. 1, 1893
do .....	Cora M. Wheeler.....	252	July 1, 1894
do .....	Anna M. Murphy .....	240	do 1, 1895
do .....	Rose Hackett.....	240	Mar. 1, 1895
do .....	Anna Kilmer.....	240	Sept. 1, 1895
do .....	Alice G. Hendricks .....	240	Dec. 1, 1895
do .....	Helen D. Morgan.....	276	Jan. 1, 1893
do .....	Ella Rooney.....	276	Sept. 1, 1892
do .....	Catharine E. Killen.....	264	Nov. 1, 1893
do .....	Lucy V. Condon .....	276	do 1, 1892
do .....	Mary Ann Curley.....	264	July 1, 1893
do .....	Mary C. Wands .....	300	do 1, 1876
do .....	Margaret E. Duffy .....	240	Feb 1, 1895
do .....	Bridget T. Downs .....	240	Oct. 1, 1895
do .....	Aurelia Chapman.....	252	Sept. 1, 1894
do .....	Margaret McGuire.....	288	May 1, 1891
do .....	Elizabeth Pascall .....	252	Apr. 1, 1894
do .....	Margaret J. Black .....	300	May 1, 1889
do .....	Catharine B. Gordon .....	288	Jan. 1, 1892
do .....	Mary K. Ryan.....	288	Apr. 1, 1891
do .....	Bertha A. Chapman .....	276	Sept. 1, 1892
do .....	Clara Troutman .....	252	Nov. 1, 1894
do .....	Bridget V. Mackin.....	240	Oct. 1, 1895
do .....	Rose Ann Donley .....	252	May 1, 1893
do .....	Elizabeth Laird .....	252	Dec. 1, 1894
do .....	Josephine M. Champion.....	240	May 1, 1895
do .....	Mary Ann Toole .....	240	do 1, 1895
do .....	Mary E. Healas .....	240	Apr. 1, 1895
do .....	Heinrich L. Trunkle.....	252	July 1, 1895
do .....	Edgar Thomas.....	276	do 1, 1894
do .....	Lauritz J. Elling .....	276	May 1, 1894
do .....	Charles Frazier.....	288	Apr. 1, 1893
do .....	John Boorum .....	240	Oct. 1, 1895
do .....	Fred Havens.....	252	June 1, 1895
do .....	Thomas J. Roe.....	240	Jan. 1, 1896
do .....	James Clarke .....	288	Sept. 1, 1890
do .....	James Stockdale .....	276	June 1, 1894
do .....	John J. Spillane .....	252	Aug. 1, 1894
do .....	John F. Keenan.....	288	Jan. 1, 1894
do .....	James McGhan .....	252	Apr. 1, 1895
do .....	Michael Foley .....	288	Feb. 1, 1892
do .....	Bernard Champion .....	288	June 1, 1893
do .....	Thomas W. Martin .....	288	Jan. 1, 1894
do .....	Thomas Carey .....	288	Mar. 1, 1893
do .....	John Anderson .....	288	June 1, 1893
do .....	Albert E. Kerr .....	240	Jan. 1, 1896
do .....	Thomas Simpson .....	240	do 1, 1896
do .....	Edward T. Murphy .....	240	Oct. 1, 1895
do .....	Cyrus Kinne.....	240	Nov. 1, 1895
do .....	Myles MacDonnell.....	240	Oct. 1, 1895
do .....	Nels Hall .....	252	Feb. 1, 1895
do .....	Patrick Boal .....	268	July 1, 1893
do .....	Arthur J. Lyke .....	240	Jan. 1, 1896
do .....	Charles E. Sayre.....	288	Sept. 1, 1893
do .....	Francis Lochren.....	240	Jan. 1, 1896
do .....	Austin N. Reid.....	240	Dec. 1, 1895
do .....	John J. Mahoney .....	252	Apr. 1, 1895
do .....	John W. Martin.....	276	do 1, 1894
do .....	Michael Quinn .....	240	Sept. 1, 1895
do .....	George Kuney .....	240	Jan. 1, 1896
do .....	Daniel H. Carpenter.....	240	Aug. 1, 1895
do .....	Lewis F. Smith .....	240	Jan. 1, 1896
do .....	Judson V. Dimmick.....	252	Apr. 1, 1895
do .....	Albert Stout .....	240	Jan. 1, 1896
do .....	William Marks.....	288	June 1, 1893
do .....	Niels Andersen .....	288	Oct. 1, 1891
do .....	Jens Nielsen .....	276	July 1, 1894
do .....	Michael L. Lyons .....	240	Dec. 1, 1895



## SCHEDULE D — (Continued).

## Willard State Hospital — (Continued).

Title of position.	NAME.	Salary..	Date of appointment.
Attendant.....	Thomas McKenna .....	\$288	May 1, 1885
do .....	Jens Jensen, Jr. ....	288	Oct. 1, 1888
do .....	Elmer B. Strait .....	240	Nov. 1, 1895
do .....	William Christensen .....	276	May 1, 1894
do .....	Anton C. Nielsen .....	288	do 1, 1893
do .....	George W. Hendricks .....	288	Mar. 1, 1891
do .....	James Keenan .....	288	do 1, 1889
do .....	James Flanagan .....	288	Oct. 1, 1893
do .....	Charles Dixon .....	240	Jan. 1, 1896
do .....	John Carey .....	288	Apr. 1, 1892
do .....	Michael J. Burke .....	288	Aug. 1, 1893
do .....	Edmund Dwyer .....	240	Jan. 1, 1896
do .....	Michael O'Connell .....	288	Dec. 1, 1894
do .....	Cornelius Breen .....	288	June 1, 1891
do .....	Herman J. Taylor .....	252	May 1, 1895
do .....	Anna Messer .....	204	do 1, 1894
do .....	Catharine Tierney .....	216	Sept 1, 1893
do .....	Gertrude A. Chapin .....	216	July 1, 1892
do .....	Dora E. Barton .....	168	Sept. 1, 1895
do .....	Anna S. Finn .....	168	Oct. 1, 1895
do .....	Margaret McCarron .....	216	May 1, 1893
do .....	Anna C. Mackay .....	180	June 1, 1895
do .....	Honora J. Ryan .....	180	Apr. 1, 1895
do .....	Sarah J. Murray .....	168	Oct. 1, 1895
do .....	Joan Bremner .....	168	Jan. 1, 1896
do .....	Mary E. Reilly .....	180	June 1, 1895
do .....	Blanche H. Britenbaker ..	180	Aug. 1, 1895
do .....	Helen A. Gould .....	168	Apr. 1, 1895
do .....	Margaret Durnin .....	216	Aug. 1, 1893
do .....	Caroline M. Hallock .....	180	June 1, 1895
do .....	Mary A. Keady .....	180	do 1, 1895
do .....	Anna E. Bacon .....	192	Feb. 1, 1895
do .....	Genevieve Marsh .....	168	Aug 1, 1895
do .....	Julia L. Carroll .....	180	July 1, 1895
do .....	Hannah A. Coughlin .....	204	June 1, 1894
do .....	Catharine M. Mullin .....	216	do 1, 1891
do .....	Jennie McWilliams .....	216	do 1, 1893
do .....	Etta D. Pepper .....	168	Oct. 1, 1895
do .....	Julia D. Fenton .....	192	Dec. 1, 1894
do .....	Emma E. Smith .....	168	Nov. 1, 1895
do .....	Agnes Steele .....	180	Feb. 1, 1895
do .....	Margaret A. McKenna .....	192	Jan. 1, 1895
do .....	Martha C. Morrow .....	180	July 1, 1895
do .....	Mary Lochren .....	216	Nov. 1, 1893
do .....	Caroline M. Burton .....	204	July 1, 1894
do .....	Ella L. Pollard .....	168	Jan. 1, 1896
do .....	Elizabeth Hamilton .....	204	May 1, 1894
do .....	Mary McArdle .....	180	Sept. 1, 1894
do .....	Blanche Murphy .....	168	Oct. 1, 1895
do .....	Helen A. Neath .....	204	May 1, 1894
do .....	Fannie E. Flynn .....	168	Sept. 1, 1895
do .....	Mary L. McCann .....	216	June 1, 1893
do .....	Mary H. Breen .....	216	Mar. 1, 1893
do .....	Margaret E. Feehan .....	168	Oct. 1, 1895
do .....	Maria McClelland .....	216	Feb. 1, 1894
do .....	Jane Wyers .....	180	May 1, 1895
do .....	Mary Roe .....	204	Apr. 1, 1894
do .....	Jane McClelland .....	180	May 1, 1895
do .....	Jane O'Neil .....	216	Mar. 1, 1893
do .....	Jane R. Duffy .....	216	do 1, 1891
do .....	Elizabeth Duffy .....	168	Sept. 1, 1895
do .....	Maud E. Card .....	216	Dec. 1, 1893
do .....	Ellen Sullivan .....	204	Apr. 1, 1894
do .....	Lizzie A. Fox .....	168	Sept. 1, 1895
do .....	Margaret Hernon .....	216	do 1, 1893
do .....	Frank Kelly .....	300	July 1, 1892
do .....	Win. James Henry .....	282	Oct. 1, 1895
do .....	Charles I. Swarthout .....	300	July 1, 1893
do .....	Fred H. Hardenbrook .....	252	Aug. 1, 1895
do .....	James R. Hamblin .....	264	May 1, 1895
do .....	Patrick Kinney .....	300	Aug. 1, 1889

SCHEDULE D — (Concluded).

Willard State Hospital — (Concluded).

Title of position.	NAME.	Salary.	Date of appointment.
Attendant.....	Louis Yoffe .....	\$300	Aug. 1, 1893
do .....	Margaret Irwin .....	312	Nov. 1, 1879
do .....	Mary Ann Halligan .....	312	May 1, 1887
do .....	Mary Brown .....	312	Aug. 1, 1880
do .....	Maria A. Forster.....	192	Oct. 1, 1895
do .....	Watie E. Harris. ....	228	Sept. 1, 1887
do .....	Catharine A. Speer .....	228	Feb. 1, 1883
do .....	Mary E. Henry.....	180	Aug. 1, 1895
do .....	Jane Crawford .....	300	May 1, 1888
do .....	Anna F. McGee .....	228	Dec. 1, 1891
do .....	Martha Fetterly .....	216	June 1, 1894
do .....	Mary Troutman.....	180	Aug. 1, 1895
do .....	Jeanette L. Manchester ...	204	do 1, 1894
do .....	Gussie M. Trimmer.....	192	Apr. 1, 1895
do .....	Carrie R. Evans.....	192	Nov. 1, 1894
do .....	Ida M. Britenbaker .....	180	Aug. 1, 1895
do .....	Elizabeth Carson .....	192	do 1, 1894
do .....	Martha Larkin.....	180	Sept. 1, 1895
do .....	Catharine Fitz Simons.....	192	May 1, 1895
do .....	Jane H. Conroy.....	204	Sept. 1, 1894
do .....	Catharine E. Manning.....	192	Feb. 1, 1895
do .....	Mary A. McAvoy.....	168	Apr. 1, 1895
do .....	Bridget Crilly.....	192	June 1, 1892
do .....	Eliza Stockdale .....	180	do 1, 1893
do .....	Anna R. Murphy .....	168	do 1, 1894
do .....	Margaret C. Martin.....	192	Aug. 1, 1893
do .....	Elizabeth Martin.....	192	Nov. 1, 1892
do .....	Mary B. Toner.....	180	June 1, 1893
do .....	Mary Ann Campbell.....	192	do 1, 1888
do .....	Ann McArdle .....	168	Jan. 1, 1895
do .....	Ellen Sloan .....	192	Feb. 1, 1892
do .....	Bridget Kinney .....	156	Dec. 1, 1895
do .....	Margaret Roe.....	168	Jan. 1, 1895
do .....	Ellen R. Nicholson.....	180	Sept. 1, 1893
do .....	Anna Gould.....	156	May 1, 1895
do .....	Catharine Myers.....	192	Aug. 1, 1892
do .....	Ella F. Clough .....	156	Nov. 1, 1895
do .....	Anna Woods.....	156	June 1, 1895
do .....	Mary Meekins.....	192	Oct. 1, 1892
do .....	Rosa Roarke.....	180	do 1, 1893
do .....	Margaret Murphy.....	168	June 1, 1894
do .....	Catharine McArdle .....	156	May 1, 1895
do .....	Emma J. Fish.....	156	Oct. 1, 1895
do .....	Rose Ann Mackin.....	156	Feb. 1, 1895
do .....	Josephine H. Meekins.....	156	June 1, 1895
do .....	Elizabeth Hughes .....	156	Sept. 1, 1895
do .....	Catharine E. Finn .....	156	Oct. 1, 1895
do .....	Catharine Moreland .....	156	Aug. 1, 1895
do .....	Nellie E. Osborne.....	156	Oct. 1, 1895
do .....	Mary C. Kinney .....	192	Nov. 1, 1874

# INDEX.

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## A.

	PAGE.
Age, limits of.....	273
Adjutant-General, roster.....	341
Agricultural Experiment Station, roster.....	342
AMENDMENTS to Civil Service classification.....	101
to Civil Service rules.....	99
to New York city Civil Service regulations.....	118-140
to Brooklyn Civil Service regulations.....	129-135
to city regulations approved.....	115
to city regulations disapproved.....	142
APPOINTMENTS, competitive, list of.....	74
competitive .....	63
competitive, number of.....	65
non-competitive, list of.....	80
health officers.....	86
Applicants, regulations for guidance of.....	283
APPENDICES, list of.....	17
A .....	19
B .....	51
C .....	67
D .....	73
E .....	97
F .....	113
G .....	153
H .....	223
I .....	271
J .....	335
ATTORNEY-GENERAL, opinions of.....	155
roster .....	339

## B.

BOARD OF EXAMINERS, list of.....	69
recommendations .....	36
Board of Claims, roster.....	341
Board of Charities, roster.....	340
Board of Excise, New York city, roster.....	343
Board of Health, roster.....	341
Board of Port Wardens, roster.....	342
Banking Department, roster.....	339
Brooklyn, amendments to regulations.....	129
Bureau of Statistics of Labor, roster.....	341



## C.

	PAGE.
Candidates, birthplace of, occupation of, education of.....	66
Chief Examiner's report.....	21
Chief Examiner's special report on Rochester investigation.....	46
CIVIL SERVICE statutes.....	319
rules .....	285
classification .....	299
regulations .....	311
regulations, city of Jamestown.....	143
Commission, roster.....	341
CLASSIFICATION .....	299
amendments to.....	101
requests for changes in, denied.....	111
COMMISSIONERS' report.....	5
of Subways, Brooklyn, roster.....	343
New Capitol, roster.....	342
Commissioner of Agriculture, roster.....	341
COMMISSION, organization of.....	68
recommendations of.....	10
in Lunacy, roster.....	340
COMPETITIVE EXAMINATIONS, statistical table of.....	59
table of.....	53
Chief Examiner's list of.....	26
number examined.....	21
Competitive appointments.....	63
COMPETITIVE APPOINTMENTS, list of.....	74
number of.....	65
Competition, growth of.....	24
Court decisions.....	160
COURT OF APPEALS, office of reporter, roster.....	350
office of clerk of, roster.....	339
COURTS, Brooklyn, roster.....	344
New York city, roster.....	344
Character of examinations.....	23
Chief of Ordnance, roster.....	342
City regulations, amendments to, approved.....	115
Clerks in courts, schemes for examination of.....	279
CONSTITUTION, extracts from.....	4
article 1, section 16; article 5, section 9.....	333
Comptroller, roster.....	339
Custodial Asylum for Women, roster.....	358
Craig Colony, roster.....	356

## D.

Deaths, list of.....	88
DECISIONS, Supreme Court and Court of Appeals.....	160
William H. Ewell v. Comptroller.....	160
George Keymer for writ of mandamus.....	174-178
application of George Sweeley for writ of mandamus.....	163
application of Alson B. Ostrander for writ of mandamus.....	172
John W. McClelland v. Comptroller.....	192
Fred. P. Fonda v. Trustees of Public Buildings.....	217
Department of Mediation and Arbitration, roster.....	341

## E.

	PAGE.
Elmira Reformatory, roster.....	366
Employes, roster of.....	337
Engineer and Surveyor, roster.....	339
EXAMINATIONS, schemes for.....	273
clerkships .....	273
stenographers and typewriters.....	274
Regents' examiners.....	274
messengers .....	275
prison guards.....	275
reformatory guards.....	275
teachers .....	276
engineering positions.....	276
competitive, table of.....	53
non-competitive, table of, Schedule C.....	54
non-competitive, table of, Schedule D.....	55
summary of.....	58
competitive, statistical table of.....	59
non-competitive, statistical table of .....	61
summary of, table of.....	62
tables of.....	39
statistical tables of.....	52
competitive, Chief Examiner's list of.....	26
competitive, number examined.....	21
new .....	22
character of.....	23
schemes for.....	273
Schedule D.....	26
Examination questions, samples of.....	225
EXAMINING BOARDS, list of.....	69
recommendations.....	36
Examiners, instructions to.....	280

## F.

Factory Inspector, roster.....	360
Fisheries, Game and Forest Commission, roster.....	341

## G.

General regulations.....	311
--------------------------	-----

## H.

Health officers, appointments.....	86
Health Officer, Port of New York, roster.....	342
HOSPITALS, STATE, positions in, schemes for.....	277
physicians, junior .....	277
physicians, women.....	277
promotions .....	277
assistant physicians. ....	277
stewards .....	277

HOSPITALS, STATE — ( <i>Continued</i> ).	PAGE.
internes .....	277
superintendents .....	277
apothecaries .....	277
special positions.....	277
medical internes.....	278
State, roster.....	340
HOUSE OF REFUGE FOR WOMEN, Albion, roster.....	357
Hudson, roster.....	342

## I.

Instructions to examiners.....	280
Inspector-General, roster.....	341
Insurance Department, roster.....	339
Institutions for Blind, roster.....	358
Industrial School, Rochester, roster.....	342

## J.

Jamestown regulations.....	143
----------------------------	-----

## L.

Laborers, positions classed as, Department of Public Works.....	309
LAWS of 1883, chapter 354.....	319
1884, chapter 357.....	329
1884, chapter 410.....	330
1887, chapter 464.....	331
1887, chapter 708.....	332
Limits of age.....	273

## N.

New examinations.....	22
New York city, amendments to regulations.....	118
Non-competitive appointments, list of.....	80
NON-COMPETITIVE EXAMINATIONS, statistical table of.....	61
table of, Schedule C.....	54
table of, Schedule D.....	55
Normal Schools, roster.....	371

## O.

Onondaga Salt Works, roster.....	376
Opinions of Attorney-General.....	155-157



## P.

	PAGE.
Persons holding positions not subject to rules, list of.....	337
Persons employed by special resolutions.....	374
Persons holding positions in Schedule A, list of.....	339
Persons holding positions in Schedules B and E, list of.....	345
Persons holding positions in Schedule C, list of.....	375
Persons holding positions in Schedule D, list of.....	385
Positions in Schedule A.....	299
Positions in Schedule B.....	303
Positions in Schedule C.....	304
Positions in Schedule D.....	307
Positions in Schedule E.....	309
Positions classed as laborers, Department of Public Works.....	309
Prison Commission, roster.....	340
Prisons, State Department of, roster.....	349
Prison for Women, Auburn, roster.....	368
Promotions, list of.....	88
Public Buildings, Department of, roster.....	344
Public Instruction, Department of, roster.....	339
Public Works, Department of, roster.....	343

## Q.

Qualifications, register of.....	273
Questions, samples of.....	225
Quarantine Commission, roster.....	342

## R.

Railroad Commission, roster.....	340
REPORT of Commission.....	5
of Chief Examiner.....	21
Recommendations of Commission.....	10
REGULATIONS, general .....	311
for guidance of applicants.....	283
city, amendments disapproved.....	142
Register of qualifications.....	273
Regents of the University, roster.....	340
REMOVALS, list of.....	88
attendants, etc., list of.....	96
Resignations, attendants, etc., list of.....	96
Resolutions, special.....	374
Resignations, list of.....	88
Rifle Practice, Department of, roster.....	361
Roster of State employes.....	337
Rochester, examiner's report of investigation of.....	46
Rome Custodial Asylum, roster.....	341
RULES .....	285
amendments to.....	99
ROSTER OF STATE EMPLOYES.....	337
Positions not subject to rules.....	337

ROSTER OF STATE EMPLOYES — (*Continued*).

Secretary of State, Department of:	PAGE.
Schedule A, positions in.....	339
Schedule B, positions in.....	346
Schedule C, positions in.....	375
Comptroller, Department of:	
Schedule A, positions in.....	339
Schedule B, positions in.....	346
Schedule C, positions in.....	375
Schedule D, positions in.....	385
Treasurer, Department of:	
Schedule A, positions in.....	339
Schedule B, positions in.....	346
Schedule D, positions in.....	385
Attorney-General, Department of:	
Schedule A, positions in.....	339
Schedule B, positions in.....	347
Schedule C, positions in.....	375
Engineer and Surveyor, Department of:	
Schedule A, positions in.....	339
Schedule B, positions in.....	347
Schedule C, positions in.....	375
Insurance Department:	
Schedule A, positions in.....	339
Schedule B, positions in.....	348
Schedule D, positions in.....	385
Banking Department:	
Schedule A, positions in.....	339
Schedule B, positions in.....	348
Public Instruction, Department of:	
Schedule A, positions in.....	339
Schedule B, positions in.....	349
Schedule D, positions in.....	385
Clerk of Court of Appeals, Office of:	
Schedule A, positions in.....	339
Schedule B, positions in.....	349
Railroad Commission, Department of:	
Schedule A, positions in.....	340
Schedule B, positions in.....	350
Board of Charities, Department of:	
Schedule A, positions in.....	340
Schedule B, positions in.....	350
Commission of Prisons, Department of:	
Schedule A, positions in.....	340
Regents of the University, Department of:	
Schedule A, positions in.....	340
Schedule B, positions in.....	350
Commission in Lunacy, Department of:	
Schedule A, positions in.....	340
Schedule B, positions in.....	352

ROSTER OF STATE EMPLOYES — (*Continued*).

PAGE

## Binghamton State Hospital:

Schedule A, positions in.....	340
Schedule B, positions in.....	352
Schedule C, positions in.....	377
Schedule D, positions in.....	395

## Long Island State Hospital:

Schedule A, positions in.....	340
Schedule B, positions in.....	353
Schedule D, positions in.....	398

## Buffalo State Hospital:

Schedule A, positions in.....	340
Schedule B, positions in.....	353
Schedule C, positions in.....	377
Schedule D, positions in.....	404

## Middletown State Hospital:

Schedule A, positions in.....	340
Schedule B, positions in.....	354
Schedule C, positions in.....	277
Schedule D, positions in.....	407

## St. Lawrence State Hospital:

Schedule A, positions in.....	340
Schedule B, positions in.....	354
Schedule C, positions in.....	377
Schedule D, positions in.....	410

## Hudson River State Hospital:

Schedule A, positions in.....	340
Schedule B, positions in.....	354
Schedule C, positions in.....	377
Schedule D, positions in.....	413

## Rochester State Hospital:

Schedule A, positions in.....	340
Schedule B, positions in.....	355
Schedule C, positions in.....	377
Schedule D, positions in.....	417

## Utica State Hospital:

Schedule A, positions in.....	340
Schedule B, positions in.....	355
Schedule D, positions in.....	419

## Willard State Hospital:

Schedule A, positions in.....	341
Schedule B, positions in.....	355
Schedule C, positions in.....	377
Schedule D, positions in.....	421

## Rome State Custodial Asylum:

Schedule A, positions in.....	341
Schedule B, positions in.....	356
Schedule D, positions in.....	391

## Syracuse Institute for Feeble-Minded Children:

Schedule A, positions in.....	341
Schedule B, positions in.....	357
Schedule C, positions in.....	378
Schedule D, positions in.....	389



ROSTER OF STATE EMPLOYES — (Continued).	PAGE.
Board of Claims, Department of:	
Schedule A, positions in.....	341
Schedule B, positions in.....	358
Board of Health, Department of:	
Schedule A, positions in.....	341
Schedule B, positions in.....	358
Schedule C, positions in.....	376
Bureau of Statistics of Labor, Department of:	
Schedule A, positions in.....	341
Schedule B, positions in.....	358
Fisheries, Game and Forest Commission, Department of:	
Schedule A, positions in.....	341
Schedule B, positions in.....	359
Schedule C, positions in.....	376
Schedule D, positions in.....	385
Civil Service Commission, Department of:	
Schedule A, positions in.....	341
Schedule B, positions in.....	359
Commissioner of Agriculture, Department of:	
Schedule A, positions in.....	341
Schedule B, positions in.....	359
Department of Mediation and Arbitration:	
Schedule A, positions in.....	341
Schedule B, positions in.....	360
Adjutant-General, Department of:	
Schedule A, positions in.....	341
Schedule B, positions in.....	360
Schedule D, positions in.....	385
Inspector-General, Department of:	
Schedule A, positions in.....	341
Schedule B, positions in.....	360
Chief of Ordnance:	
Schedule A, positions in.....	342
Schedule B, positions in.....	361
Schedule D, positions in.....	385
State Weather Bureau:	
Schedule A, positions in.....	342
Agricultural Experiment Station, Department of:	
Schedule A, positions in.....	342
Schedule B, positions in.....	361
Industrial School, Rochester:	
Schedule A, positions in.....	342
Schedule B, positions in.....	356
Schedule C, positions in.....	378
Schedule D, positions in.....	387
Commissioners of New Capitol:	
Schedule A, positions in.....	342
Schedule B, positions in.....	361

## ROSTER OF STATE EMPLOYES — (Continued).

PAGE.

## House of Refuge for Women, Hudson:

Schedule A, positions in.....	342
Schedule B, positions in.....	357
Schedule C, positions in.....	378
Schedule D, positions in.....	388

## House of Refuge for Women, Albion:

Schedule B, positions in.....	357
Schedule C, positions in.....	377
Schedule D, positions in.....	389

## Soldiers and Sailors' Home, Department of:

Schedule A, positions in.....	342
Schedule B, positions in.....	358
Schedule D, positions in.....	386

## Quarantine Commission, Department of:

Schedule A, positions in.....	342
Schedule B, positions in.....	363
Schedule C, positions in.....	385

## Board of Port Wardens:

Schedule A, positions in.....	342
-------------------------------	-----

## Health Officer of Port of New York, Department of:

Schedule A, positions in.....	342
Schedule B, positions in.....	363
Schedule, C, positions in.....	385
Schedule D, positions in.....	386

## Board of Excise, New York City:

Schedule A, positions in.....	343
Schedule B, positions in.....	364

## Commissioners of Subways, Brooklyn, Department of:

Schedule A, positions in.....	343
Schedule B, positions in.....	363

## State Reservation at Niagara, Department of:

Schedule A, positions in.....	343
Schedule B, positions in.....	361

## Public Works, Department of:

Schedule A, positions in.....	343
-------------------------------	-----

## State Land Survey, Department of:

Schedule A, positions in.....	343
-------------------------------	-----

## Public Buildings, Department of:

Schedule A, positions in.....	344
Schedule B, positions in.....	362
Schedule C, positions in.....	376
Schedule D, positions in.....	386

## Auburn Prison:

Schedule A, positions in.....	344
Schedule B, positions in.....	366
Schedule C, positions in.....	376
Schedule D, positions in.....	394

## Clinton Prison:

Schedule A, positions in.....	344
Schedule B, positions in.....	368
Schedule C, positions in.....	377
Schedule D, positions in.....	394

## ROSTER OF STATE EMPLOYES—(Continued).

PAGE.

## Sing Sing Prison:

Schedule A, positions in.....	344
Schedule B, positions in.....	369
Schedule C, positions in.....	377
Schedule D, positions in.....	394

## Supreme Court, New York City:

Schedule A, positions in.....	344
Schedule C, positions in.....	378

## City Court, New York City:

Schedule A, positions in.....	344
Schedule C, positions in.....	381

## Court of General Sessions, New York City:

Schedule A, positions in.....	344
Schedule C, positions in.....	382

## Supreme Court, Brooklyn:

Schedule A, positions in.....	344
Schedule C, positions in.....	381

## Court of City Magistrates, New York City:

Schedule A, positions in.....	344
Schedule C, positions in.....	381

## Court of Special Sessions, New York City:

Schedule A, positions in.....	345
Schedule C, positions in.....	383

## City Court, Brooklyn:

Schedule A, positions in.....	345
Schedule C, positions in.....	383

## District Court, Brooklyn:

Schedule A, positions in.....	345
Schedule C, positions in.....	383

## Department of State Prisons:

Schedule B, positions in.....	349
-------------------------------	-----

## Office of Reporter, Court of Appeals:

Schedule B, positions in.....	350
-------------------------------	-----

## State Library:

Schedule B, positions in.....	351
-------------------------------	-----

## State Museum:

Schedule B, positions in.....	352
-------------------------------	-----

## Matteawan State Hospital:

Schedule B, positions in.....	355
Schedule C, positions in.....	377
Schedule D, positions in.....	392

## Craig Colony:

Schedule B, positions in.....	356
Schedule D, positions in.....	391

## Thomas Orphan Asylum:

Schedule B, positions in.....	357
Schedule C, positions in.....	378
Schedule D, positions in.....	391



ROSTER OF STATE EMPLOYES — (*Continued*).

PAGE.

## Custodial Asylum for Women, Newark:

Schedule B, positions in.....	358
Schedule C, positions in.....	378
Schedule D, positions in.....	392

## Institution for the Blind, Batavia:

Schedule B, positions in.....	358
Schedule C, positions in.....	378
Schedule D, positions in.....	389

## Factory Inspector, Department of:

Schedule B, positions in.....	360
Schedule C, positions in.....	376

## Department of Rifle Practice:

Schedule B, positions in.....	361
-------------------------------	-----

## Statutory Revision Commission, Department of:

Schedule B, positions in.....	362
-------------------------------	-----

## Department of Miscellaneous Reporter:

Schedule B, positions in.....	362
-------------------------------	-----

## Elmira Reformatory:

Schedule B, positions in.....	366
Schedule C, positions in.....	376
Schedule D, positions in.....	387

## Prison for Women, Auburn:

Schedule B, positions in.....	368
Schedule C, positions in.....	376

## Albany State Normal College:

Schedule B, positions in.....	371
-------------------------------	-----

## Brockport Normal College:

Schedule B, positions in.....	371
-------------------------------	-----

## Buffalo Normal School:

Schedule B, positions in.....	371
-------------------------------	-----

## Cortland Normal College:

Schedule B, positions in.....	372
-------------------------------	-----

## Fredonia Normal School:

Schedule B, positions in.....	372
-------------------------------	-----

## Geneseo Normal School:

Schedule B, positions in.....	372
-------------------------------	-----

## New Paltz Normal School:

Schedule B, positions in.....	373
-------------------------------	-----

## Oneonta Normal School:

Schedule B, positions in.....	373
-------------------------------	-----

## Oswego Normal School:

Schedule B, positions in.....	373
-------------------------------	-----

## Plattsburgh Normal School:

Schedule B, positions in.....	373
-------------------------------	-----

## Potsdam Normal School:

Schedule B, positions in.....	374
-------------------------------	-----

## State Historian, Department of:

Schedule C, positions in.....	376
-------------------------------	-----

ROSTER OF STATE EMPLOYES — (*Continued*).

PAGE.

Onondaga Salt Works, Department of:

Schedule C, positions in.....	376
Schedule D, positions in.....	386

## S.

SAMPLES OF EXAMINATION QUESTIONS.....	225
general clerks.....	225
messengers .....	230
prison guards .....	331
reformatory guards.....	232
engineering positions.....	233
assistant physicians.....	239
hospital superintendents.....	240
director of Pathological Institute.....	241
apothecaries .....	242
inspector and compiler, Department of Public Instruction.....	244
bank examiners.....	251
assistant superintendent, House of Refuge.....	252
excise inspectors, New York city.....	254
draughtsmen .....	258
steam engineers.....	258
firemen .....	260
electrical engineers.....	261
dynamo tenders.....	262
instructor, care and firing of steam boilers.....	262
milk experts.....	264
butter experts.....	265
cheese experts .....	266
vinegar experts .....	267
fish culturist .....	268
medical internes.....	269
Schedule A, positions in.....	299
SCHEDULE B, positions in.....	303
schemes for examination of.....	279
SCHEDULE C, positions in.....	304
schemes for examination of.....	279
SCHEDULE D, positions in.....	307
examinations .....	26
Schedule E, positions in.....	309
Schedule E, positions, schemes for examination of.....	280
SCHEMES FOR EXAMINATIONS.....	273
State hospitals.....	277
stenographers .....	278
court clerks.....	279
Schedule C, positions.....	279
Schedule B, positions.....	279
Schedule E, positions.....	280
Secretary of State, roster.....	339
State Historian, roster.....	376
State Museum, roster.....	352
State Land Survey, roster.....	343
State Library, roster.....	351
State Prisons, roster.....	344

	PAGE.
State Reservation at Niagara, roster.....	343
State Weather Bureau, roster.....	342
Statutes, Civil Service.....	319
Statistical tables of examinations.....	52
Statutory Revision Commission, roster.....	362
Stenographers in courts, schemes for examination of.....	278
Soldiers and Sailors Home, roster.....	342
Special regulations for guidance of applicants.....	283
SUMMARY OF EXAMINATIONS.....	58
table of.....	62
Syracuse Institution for Feeble-Minded Children, roster.....	340

## T.

Thomas Orphan Asylum, roster.....	357
Treasurer, roster.....	339





# STATE OF NEW YORK.

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No. 53.

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## IN ASSEMBLY,

FEBRUARY 11, 1896.

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### REPORT

OF THE

COMMITTEE APPOINTED BY THE ASSEMBLY TO  
INVESTIGATE THE QUESTION OF MUNICIPAL OWNER-  
SHIP OF THE STREET AND ELEVATED RAILROADS OF  
THE VARIOUS CITIES OF THE STATE.

---

*To the Honorable the Assembly of the State of New York:*

On April 4, 1895, the Assembly of the State of New York duly adopted a resolution, of which the following is a copy, viz:

“Whereas, The sentiment for municipal ownership of franchises, the profits of which are large and come directly from the people of the various cities, is growing throughout the State to such an extent as to demand a popular vote upon the question of municipal ownership; and,

“Whereas, A bill is before this Legislature providing for a submission to a vote of the people of the various municipalities of the State, the question of municipal ownership of the street and elevated roads of the various cities; and,

“Whereas, It has been charged repeatedly in the newspapers of Brooklyn and New York, that certain railroad companies in the city of Brooklyn have watered, to a large extent, their capital stock, and have leased their roads to foreign corporations, and

included in these charges is the accusation that large sums of money have been taken either fraudulently from the treasury or wasted by the managers of the company leasing said road, and that the stockholders of said companies have been unable to ascertain even the cost of construction of the roads referred to;

“Resolved, That a committee of seven members of this house be appointed by the Speaker, whose duty it shall be to examine all matters pertaining to the cost of construction, expense of operation, capital stock and bonded indebtedness and the general management of the surface and elevated railroads of the various cities of the State, and such other matters pertaining to said roads as will give to the people of these municipalities proper information upon the question of the profits of said enterprises upon which to base their judgment, as to the desirability of municipal ownership; said committee to report to this house whatever investigation may be made previous to the adjournment of the Legislature. Said committee to sit after the adjournment of this Legislature for the purpose of making such investigations in any of the cities of the State, and said committee is hereby empowered to send for persons and papers, to examine witnesses and employ counsel, and such other assistance as may be required for such investigation, and to incur such expense in the premises as may be necessary to carry into effect the purpose of this resolution.”

On the last day of the session of 1895, in obedience to said resolution, the Speaker of the House announced the appointment of the committee therein provided for, to wit: S. F. Nixon, E. C. Stewart, Philip Gerst, E. H. Thompson, W. D. Stevenson, S. J. Foley and John A. Hennessey.

Pursuant to such appointment and under the powers vested in the committee by said resolution, we have visited the cities of New York, Brooklyn, Buffalo, Rochester, Syracuse, Utica, Albany and Troy, and have examined divers and sundry witnesses under oath upon the subjects referred to in said resolution, and have examined many documents, reports and papers pertaining thereto, and in so doing have taken nearly four thousand pages of testimony, a copy of which is herewith submitted.



The testimony thus taken discloses many things of interest to the people of the entire State, and suggests the need of much remedial legislation. Railroad companies are quasi public corporations, in which the public is deeply interested, and over which the Legislature of the State, by wise and prudent legislation should exercise dominion and control. They are the creatures of the statute, and the manner and method of their organization, the general scope of their powers, the method of issuing stock and the power to contract indebtedness and to create obligations should be clearly defined and prescribed by law.

During the past five years the surface street railways in most of the cities of the State have been changed from horse to electric power. These changes, where made, have necessitated the reconstruction and re-equipment of the roads, the erection of power plant and the purchase of machinery, generators, motors, etc., requiring the outlay of large sums of money, much of which has been lost by reason of experiments indispensably essential. To illustrate, car equipments, which were the best in use four or five years since, and which cost from \$3,500 to \$5,000 per car, are to-day practically of no value. This is made so by reason of imperfections then existing and many of which have been removed by more modern improvements, necessitating the disuse of the old and the purchase of the new. The tracks that were suitable for horse car traffic have been found inadequate for the purposes of an electric road. The cars formerly in use are of little or no value at the present time. The best generators known at the beginning of the use of electricity as a motive power are, in the light of present experience and development, crude and of little value, and yet their actual cash cost then was far in excess of the more modern and useful ones of the present time.

In the development of the use of electricity as a motive power, and in making the changes above referred to and others of equal importance, the companies have expended enormous sums of money, and, as a general rule, have largely increased their bonded indebtedness; but this can by no means be said to be the true cause or reason for the stock and bond issue of most of the roads,

so largely in excess of the actual cash cost of construction and equipment.

We have found some cases where the companies stand charged with capital stock, bonds, and other indebtedness nearly or quite ten times the actual cash cost of construction and equipment. In one instance, these charges exceed \$100,000 per mile of single horse car track, and this includes nothing but the track itself, and street repairs, whereas, in truth and in fact, it would cost less than one-tenth that sum to construct it anew. In almost every instance the charges against the companies for capital stock issued and bonded and other indebtedness exceed by several times the actual cash cost of the road, real estate, plant and equipment.

This system of over capitalization and over issuing of bonds has become so prevalent as to call upon the Legislature for some immediate remedial legislation. While it is urged, and with much force, that limiting the power to issue stock and bonds to the actual cash cost would have a tendency to drive capital from investment in enterprises so hazardous as these, yet it is obvious that there should be some limit and there should be some control of this feature of these great corporations.

It is quite apparent that by this method of issuing stock and bonds the companies (where the receipts are sufficient for that purpose) are enabled to pay an apparently small dividend, which is, in fact, more than a fair return for the actual capital invested, and by that means make it appear necessary to charge a higher rate of fare than would otherwise be required. All appreciate that capital invested in these enterprises is entitled to a fair and reasonable return, but all benefits beyond what is fair and reasonable ought to redound to the benefit of the patrons of the road.

We have found one instance where a street railway company issued its certificates of indebtedness in an amount equal to the amount of its capital stock, to wit: Twelve hundred thousand dollars, bearing interest, payable annually, and running for thirty years. These certificates were divided up among the stockhold-



ers and taken as obligations against the company without the payment to the company of anything therefor. The statute ought to prohibit such a transaction by or on the part of any railway corporation.

In this respect the committee would recommend limiting the power to issue stock and bonds and to create other indebtedness by street railway companies to a stated sum or percentage above the actual cash cost of property, construction, plant, and equipment; and we would further recommend upon this subject the passage of a bill which would require all street railway companies hereafter incorporated, before entering upon the business of the corporation, to obtain the consent of the State Board of Railroad Commissioners to the amount of capitalization stated in the certificate of incorporation, and also require every street railway company now in existence, or hereafter to be incorporated, to obtain the consent of the State Board of Railroad Commissioners to any increase of its capital stock before filing a certificate for such purpose, and also providing that no bonds shall hereafter be issued by any such street railroad corporation without the consent of the State Board of Railroad Commissioners.

### **Municipal Ownership.**

The question of municipal ownership of surface street railroads and elevated roads, sometimes referred to as "Essential Monopolies," has been the subject of much discussion, and has attracted the attention of many people. We have attempted to give all classes an opportunity to be heard upon this question, and many have appeared before the committee expressing their views and giving their reasons for or against the various municipalities of the State embarking in this business. But few have advocated the ownership and operation of railroads by the cities. The preponderance of testimony taken, and the great majority of opinion expressed before this committee is against the system so commonly referred to as "Municipal Ownership." It is obvious that, with our present system of municipal government, the



ownership and operation of railroads by the cities and municipalities would have a tendency to convert these enterprises into powerful political machines, the result of which would be detrimental to the public welfare. Some advocate the construction and equipment of the road by the municipal authorities at public expense, and then that they be leased to private corporations or private enterprises for the purposes of operation. Our attention has been called to the street railway system of the city of Glasgow. Dr. Albert G. Shaw, who has spent some years in foreign cities, and who has made a careful study of this subject, has given us many valuable suggestions and ideas. He describes the street railway system of Glasgow and the manner and method of its construction and operation substantially as follows: The city built and equipped the roads at public expense, and, when ready for operation, leased them to a private company. By the terms of the lease the private company was required to pay, semi-annually, the interest upon all the money invested; it was required to pay, annually, into a sinking fund a sum which, in twenty years, would be sufficient to liquidate the entire cost of construction and equipment; it was also required to pay into a repair fund, a sum sufficient, under all circumstances, to keep the road and equipment in perfect condition and repair, and to pay into the street fund, a sum sufficient to take care of that portion of the streets used by the roads in their operation, and, in addition to these it was required to pay some other taxes of minor importance. Under this lease the company operated the road for twenty years, and made all the payments required, and in addition thereto it made a large sum of money for itself. At the expiration of the term stated in the lease the road was turned back to the city, all the cost of its construction and equipment and the interest thereon, together with its maintenance and repairs entirely liquidated and paid in full, and the city owned the road free of any charges. He informed the committee that a large percentage of the patronage of this road came from the laboring classes; in fact, the patronage of the Glasgow roads was very largely from the laboring people. It will be seen from

this, that the money obtained for paying the cost of these roads and the interest thereon and all repairs and the profits realized from its operation, were taken very largely from the toiling masses. This is a system of economy which we believe no city can afford. It has been said that the street railway is the "poor man's chariot." Why, then, should he not receive all the benefits possible from this means of transportation? In our larger cities, the toiling thousands are compelled by force of circumstances to go to and from their labor, morning and evening, by this system of transportation. They have neither horses nor chariots. They live too far from their work to walk. They are, therefore, forced to use the street railways, and it would seem that true economy would induce us to furnish this class with the cheapest transportation possible.

In many of the cities of foreign countries, and in some of our own, a cheaper rate of fare is given in the morning and evening of each day, thereby enabling the laboring classes to avail themselves of the opportunity of securing a cheaper transportation to and from their work.

Upon the subject of municipal ownership, Dr. Albert G. Shaw gave this testimony:

I have never dreamed of advocating municipal ownership in the city of New York. I have never thought of it as a remedy. I do believe, if there is nothing in existing charters to prevent legislative remedy, that it might be possible to bring the whole business of transit in the city of New York under a better and more efficient public supervision to the end of giving us some relief here.

Q. Your idea is that these lines should be operated to a greater extent under municipal control, the municipal authorities having more power to give directions and enforce rules that the municipalities might establish? A. Yes; it would seem so; in saying that I make only a very general observation, because I have never pretended to have any ready made theories or ready made remedies for matters of this kind; I think the American cities the country over, have been unwise in not valuing more highly the



great privileges they have conferred upon these companies; I recognize, on the other hand, the exceptional enterprise of many of the American street railway companies, and the immense advantage our communities derive from such facilities as they have, but I do not believe enterprise would have been checked if municipal treasurers had guarded financial possibilities a little bit more closely; I think these are questions of fact to be worked out precisely, as I judge your committee has been doing, by getting out precisely the kind of facts they were obtaining from the witness who preceded me; I do not believe the conclusions derivable from the experience of foreign cities, although I have been interested in them, but I never believed any experience derived from them of any applicability to our cities; but they throw some little side lights that are interesting, but conditions differ, but our heads are as clear as any ones, and we should be able to derive and work out deductions and true conclusions.

Mr. Thomas G. Shearman testified upon this subject as follows:

Q. Are you willing to express your views on the subject of municipal ownership of street railways? A. Yes, sir.

Q. Please do that. A. I believe that eventually these street railroads ought to be owned by the cities; I should not be in favor of an immediate transfer of these railways to the cities, not because of any tenderness of any corporation, but, on the contrary, my impression is in the present stage of opinion and present stage of public feeling, if an attempt was made to transfer these railways to municipal ownership and carry it through promptly, the cities would make a very bad bargain; I think in the course of time, when public attention has been sufficiently drawn, I think it can be introduced with great advantage to the cities, and with fairness to every one concerned; for the present, for immediate action, my judgment is that the best thing that the Legislature could do in the interest of the cities in the State would be to regulate the future sale of franchises on a different principle from that which now exists; I think all these franchises ought to be sold to the highest bidder, under careful restric-



tions, but only for a limited term, a very limited term; I do not believe that that term is at all likely to be made too short; I do not believe that you will get any lower bids for a term of ten years than you would for a term of thirty, relatively speaking, provided you adopt the principle that has always been adopted by New York to the ferries, that at the end of the term the next bidder takes the next bargain, subject to paying to the railroad company the full value of all its property it used in its business; on those terms I believe you could obtain for railroad franchises just as good bids as New York gets for its ferries, and under such arrangements I think a large revenue could be raised for the city, precisely as for the ferries and docks; I believe under those arrangements it could be adopted.

Q. When you speak of paying the fair value of the property, do you mean the fair value at the time the new company acquired, at the expiration of the lease? A. Yes.

Q. What it is then worth? A. Yes; not what it cost; that would almost invariably be a good deal less; the railroad company would suffer no injury, because the appraisers would put a liberal price upon it.

Q. The advantage would not be to the corporation going out, being awarded anything for the franchise? A. No; I would not award a penny for the franchise of the corporation going out.

Q. Take it right there in that connection; supposing the time was limited to ten years, and the lease had been given in 1895, do you think it would be fair to take away the property of an electric road to-day, at the end of 1895, that was electrified in 1890 or 1891, at its fair value the first of January, 1896? A. That would have the same — yes, subject to the conditions that I have stated.

Q. You know the development of electric roads in the last five years has cost those railroad companies numberless thousands of dollars? A. Yes.

Q. To illustrate; they commenced equipping their cars with motors that cost \$5,000 each; in the very first stages of propelling cars by electricity the motor cost \$5,000, and to-day the thing is

not worth twenty-five dollars; now, would it be fair, if that system was in force, would you not retard and possibly prevent the adoption of improved methods? A. That is, of course, a very strong and excellent illustration.

Q. Take it in your own city, they have in the power-house of the Brooklyn City a generator for which the company paid \$45,000 in cash, and the same generator can be purchased to-day for \$28,000. A. I was not aware of these particular facts, but that part is in harmony with my general knowledge of locomotives and cars, etc.

John H. Inman testified upon the subject of municipal ownership as follows:

Q. What is your opinion upon the subject of municipal ownership of the railroads in the various cities in the State, if you have given that subject any consideration? A. I do not favor it at all, except perhaps in a large enterprise of this character which private capital hesitates to undertake (the witness was referring to the proposed subway road in the city of New York); generally speaking, I do not favor municipal ownership of property of that character.

William Steinway testified upon this subject as follows:

Q. What is your opinion upon the subject of municipal ownership of railways in general? A. I would be entirely opposed to it; I think it would be a huge political machine, a refuge for old political hacks, not good for anything, and be such a huge, unwieldly machine, and would make no money; the operation of these things should always be left to private enterprise where the city's interest is properly guarded.

The committee has attempted to obtain the evidence of all the persons whose names were given or suggested by the people advocating the passage of the municipal ownership bill, which was introduced in the Legislature of 1895 by the Hon. Alfred R. Conkling, of New York.

Dr. Raynsford, who was suggested as an advocate of municipal ownership, was subpoenaed, as was also Dr. Lyman Abbott, both



of whom, on account of previous engagements, were unable to appear before the committee during its session in New York. Dr. Abbott, however, wrote the committee upon this subject as follows:

“My whole knowledge on that subject is derived from the public press. I am heartily in favor of the ownership of all street railroads, whether elevated or surface, and whether operated by cable, electricity, steam or horse power, but this is based simply on two general principles; first, that the people have a right to own and ought to control the highways of the city, and such means of transportation are part of the highways; and, second, that the experience of municipalities abroad makes it clear that it is better for the people to own, if not to operate, such roads, than to depend on private corporations to do that for them. \* \* \* But I have no information on the subject other than the public generally possesses, only such views and opinions as are the result of a considerable study of the general subject.”

Many other witnesses were called, who testified upon this subject, but we have only made special reference to these four as being the most prominent and among the best qualified to express an opinion in reference thereto. We unhesitatingly disapprove of the idea of municipalities owning and operating street railways. There may be, however, circumstances under which it is both feasible, practicable and economical for the city to construct and own the road-bed itself, and permit its operation by a private enterprise, under the direction and control of the city, but even that time is not yet at hand. The street railway systems of the State are and for a period of five or six years have been in a perfect state of transition. Millions upon millions have been expended in devising improved facilities for street transit. It has been thought that electricity as a motive power would solve this problem and give to the people the best and cheapest means of rapid transit through the streets. For the period above stated it has been, of necessity, one continuous system of experiments, some of which have proved successful,



but many of which have proved failures. The development of street transit in the last five years has been simply marvelous. This may be illustrated by the street railways of the city of Buffalo, which, five years ago, were carrying 12,000,000 passengers per year, and had but sixty-six miles of horse-car tracks. This has been increased until now they are carrying 46,000,000 passengers per year and have 146 miles of electric road; and there, as elsewhere, they have been in an experimental stage, casting aside one machine or implement for another which is more improved and better calculated to perform the service. This experimental business is something into which no municipality should be thrown. Even now, it is thought by many people of experience in these matters that the use of electricity as a motive power in propelling street cars may be ended within a very short time. It is now contended that an engine has been invented to be operated by compressed air, and that it can be supplied in one and one-half minutes sufficient to propel the car for twelve miles, and that this method is so much cheaper and so much more feasible than the operation by electricity that it is sure to take the place thereof. Should this happen, very many more millions now invested in street railways and street railway appliances would be rendered practically valueless. There is enough of this to demonstrate conclusively that the development of street transit and the method of propelling street cars are yet in a state of imperfection.

We are often cited to the conditions in certain foreign cities where the system of municipal ownership is either partial or complete, but a reference to the testimony of Dr. Shaw will disclose the fact that the systems of municipal government and the means of electing or appointing heads of departments are so different from our own as to render comparison of little or no value. For instance, take many of the cities of Germany, where the voting population is divided into three classes, the first class being the highest taxpayers; the second, the middle-class taxpayers, and the third, the balance of the voting population. In 1893, in the city of Berlin, the registered voters of the first class

were 2,045; of the second class, 13,049, and of the third class, 96,543. At this election 976 of the first class, 4,858 of the second class, and 25,596 of the third class actually voted. Each class, under their system of municipal government, was entitled to elect one-third of the municipal council. This power was vested in each class utterly regardless of the number of votes that were cast, so it will be seen that at all times the taxpayers actually elected two-thirds of the municipal council, regardless of the number. Such a system does not prevail in any of the cities of the State of New York, but, as a rule, political lines are drawn, and politics is the controlling features at these elections.

In the cities of Germany great pains is taken in selecting members of the council who have had large business experience and are acquainted with the affairs with which they will be called upon to deal in their official capacity. This feature is too often overlooked in our cities. In fact, there is an apparent apathy or indifference among our most prominent business men, and they frequently display no interest in municipal elections or municipal affairs. The detrimental effect of this indifference is so apparent as to require no discussion.

In nearly every city of the State, upon the streets where street railways are most needed, franchises have already been granted to private corporations, some of which have obtained more than a fair return for the money invested, while others are yet struggling for improved and increased facilities and have received little or no return for the investment. If we were to deal with the subject anew, that is, if no franchises had been granted and no roads constructed, the question would be materially changed, but such is not the condition, and we are forced to deal with it as it is.

Under all the conditions and circumstances, it would seem that the ownership and operation of street railways by the municipal authorities is quite impracticable at the present time. As an abstract proposition, we believe that no government, either national, state or municipal, should embark in a business that can be as well conducted by private enterprise. The reverse of this



proposition carried out to a logical conclusion would put all business enterprises under governmental management and control, and leave to no citizen any hope, ambition or aspiration beyond that of seeking an official position that affords a meager existence.

### Sale of Franchise.

The question of how franchises for surface street railways and elevated roads shall be disposed of is one that has provoked much discussion and produced considerable legislation. Various systems have been adopted, none of which have proven entirely practicable. Most of the legislation upon this subject has had for its object the payment into the treasury of a stated sum, or a percentage of the gross receipts. Both of these systems have been tried, and both are now in use, and neither has resulted satisfactorily. In the city of New York franchises are sold at public auction to the corporation which will agree to pay the largest percentage of gross receipts into the treasury of the city. Quite recently a franchise was offered for sale under this statute, and when night closed with the bidding still in progress and the sale not yet made, one company had bidden 6975 1-16 per cent. of the gross receipts for the franchise being sold. Just what 6975 1-16 per cent. of anything is, is not clearly understood. Prior to this fiasco, it was generally supposed that 100 per cent. of a stated sum would include about all there was of it.

In other cities, franchises are granted by municipal authorities under contract to pay a percentage of the gross receipts. These, in some instances, amount to considerable sums of money, as one company in the city of Buffalo, under such contract pays about \$48,000 a year into the treasury. It has been urged by many that these franchises be sold upon the basis of a certain percentage upon the gross receipts, until those receipts reached a given amount, and as they are increased, increase the percentage accordingly.

One other feature to which our attention has been attracted and of which we desire to make mention is, should the granting of the franchise be perpetual? Again we are confronted by the



fact that most of them have already been thus granted; but should this system continue to prevail? We think not.

It will, we think, be conceded by every one that a street railway to be operated in a manner that will best accommodate the patrons of the road, must be successfully operated from a financial standpoint, and whatever sum is charged for a franchise, whether it be a gross sum or a percentage upon the gross receipts, or upon a graduated scale, if the road is to continue to be successfully operated, must eventually be paid by the patrons of the road, and this is true of whatever burden is imposed upon the railroad company. It would seem to us that a system might be adopted having for its tendency the cheapening of fares rather than a payment of a portion thereof into the city treasury. These requirements should not be removed unless the roads are under such public supervision as will insure the lowest possible rate of fare that can be charged, maintaining the system, paying the operating expenses, and a fair return to the capital invested. We believe it would be better, and a better economic system for the various cities of the State, if these franchises could be leased for a stated period, say thirty years, to the corporation offering the the lowest rate of fare, accompanied by a contract providing for even a further reduction in case the receipts of the road were such as would justify it. A means of determining this question on a basis of fairness both to the company and the city should be provided.

Quite recently a company asking for a franchise in the city of Buffalo made a proposition to sell three tickets for ten cents. In the city of Detroit on December 4, 1894, a contract was entered into between the municipality and the Detroit Railway Company, the provisions of which were that the Detroit Railway Company should be given a franchise upon various streets of said city, which streets, however, are not the main arteries of travel and not the most favorably located streets for transit purposes. The provisions of this contract are to require the corporation to construct its road in the most modern and complete manner, the construction of which is provided for in said articles of agreement, and it

is to be done and performed under the supervision and jurisdiction of the board of public works of the city. The railway company is required to construct its tracks, pay the expenses of removing and replacing of pavement in streets that are already paved, but it is not compelled either to maintain the pavement or to pay the expenses of the same in any street except where the laying of their road or repairing it has rendered repairs necessary. The franchise is granted for a term of thirty years, and by its terms, the company is compelled to give a better service than is given by the transportation companies of the cities of the size of Detroit in the State of New York. The railway company is furthermore required between the hours of 5.45 A. M. and 8 P. M. to sell eight tickets for twenty-five cents, and these tickets entitle a passenger to a transfer over the entire lines of the company. Between the hours of 8 P. M. and 5.45 A. M they are required to sell six tickets for twenty-five cents. During all hours the price of a single ticket is five cents. By the terms of this contract, it is also provided that at the expiration of the lease the city shall have the right to purchase the road together with all the cars, motors, and appurtenances, the price to be fixed by a board of arbitration, three of whom shall be selected by the company, three by the city, and the six thus chosen to select the other three, and if unable to agree upon one or more of the last three, they are to be appointed by the Circuit Court of that county.

Where conditions are similar, we see no good reason why as cheap a rate of fare should not prevail in the cities of the State of New York.

Existing companies in some localities, with the present requirements, are not able to give a cheaper rate of fare than they are giving; in others, they are; and we maintain that it is better economy to secure whatever benefits municipalities are entitled to by reason of the ownership of these franchises in the way of a lower rate of fare than by securing the payment into the treasury of a given sum of money or a percentage upon the gross receipts. To illustrate this proposition, we beg to again refer to the city of Buffalo. That company is required to pave and maintain the



streets within its tracks, the rails of its tracks, and two feet outside on each side and it is required to pay a certain percentage of its gross receipts into the city treasury. A percentage of the gross receipts of the company is required for these purposes and the same percentage of the nickel of the laboring man paying for his ride to or from his work is consumed for those purposes, and the wealth of the city correspondingly relieved from taxation. If these requirements were taken from the company, and the patrons of the road insured of a corresponding reduction in fare, it would, we believe, be highly beneficial to the city, and what is true of the city of Buffalo in this respect is true of every other city within the State.

We recommend the passage of an act by the Legislature providing that all franchises of this character hereafter to be disposed of be sold by lease for a stated period of time, say, not to exceed thirty years, at public auction, to the company offering the lowest rate of fare; that all requirements of the company for street repair and street maintenance be stated in the advertisement for such sale; and that it also provide for a further reduction in the event that the receipts therefrom justify the same; and that, in case of a disagreement between the municipal authorities and the company in respect thereto, either may apply to the State Board of Railroad Commissioners for a determination of the question, on ten days' written notice to the other, and that the decision of the State Board of Railroad Commissioners upon that subject be final, and that no other application shall be made to that board upon the subject by either party for the period of two years thereafter. But no municipality selling or leasing any franchise or franchises in this manner should be permitted to prescribe different requirements than those upon then existing companies in that municipality; and the act should also authorize the municipal authorities to contract with existing companies in this respect for a reduction of fare.

We would further recommend the passage of a bill by the Legislature requiring every surface street railroad and every



elevated road in the State of New York to sell tickets as low as the price of thirty for one dollar, which shall be good between the hours of 6 A. M. and 8 A. M., and 5 P. M. and 7 P. M. of each and every week day, whenever the gross earnings of any such road are sufficient to pay the operating expenses and fixed charges, together with a dividend of five per cent. upon its capital stock. Such bill should provide that whenever a disagreement shall arise between any of said railway companies and the municipal authorities the mayor of the city, or the president of the board of trustees of the village may, upon ten days' written notice, apply to the State Board of Railroad Commissioners for a determination thereof, and in the determination of such question, the State Board of Railroad Commissioners should have power to examine all the books of the company, the condition of its road, the method or means of propelling its cars and generating power therefor, and to examine, under oath, any person or persons whose testimony may be deemed of importance, or to require the production of any books, documents, or papers that it may deem necessary or advisable, and its decision should be final. A second or further application to said board should not be permitted until after the expiration of one year.

### Transfers.

In some cities of the State we find a general transfer system in vogue. This is true of the city of Buffalo, where the payment of one fare entitles a passenger to a continuous ride to any part of the city to which any of its lines are extended. We know of no good reason why this system should not be adopted by every street railway of the State. Such a system ought to be enforced by statute, and wherever it is practicable, railroad companies should provide for a transfer from one line to the other. Municipalities, in granting franchises, should keep in mind what may be required in the future development of the city, and by contract provide for such system of transfers and extensions of lines upon other streets in the future as will be most conducive to the public welfare.

### Heating and Lighting of Cars.

Every railway company of the character herein referred to should be compelled by some statutory provision to properly light and heat all cars in use for the transportation of passengers. In almost all instances, this is being done, the cars being properly heated and lighted, either by electricity or gas. In a few cases, however, this is not observed, and complaint is made by the patrons of the road where it is not done. We recommend the enactment of a law making this feature compulsory.

### Overcrowding of Cars.

Much complaint has been made in many of the cities of the State of the overcrowding of cars upon various lines. This investigation has disclosed that in some sections of some of the cities, street traffic is very much congested, and at certain hours of the day cars supplied by the company seem inadequate to take care of the ordinary travel. This condition prevails in some places where the cars are run at the headway of thirty seconds. Often has the suggestion been made that municipal ownership of the roads would do away with the overcrowding of cars. It has been urged that in such event there would be no private interest to serve; that the municipality owning and operating the road would find it convenient to supply all parts of the city with such means of transportation as would enable each passenger to be seated while riding. Our attention has been called to the Brooklyn bridge, which is under municipal control, and we find that the trains and cars are there crowded to a greater extent than in any other place we have discovered within the State. We have been cited to the condition of things in foreign cities, notably the city of Paris, where it is said that overcrowding of cars is prohibited. We have taken the testimony of persons familiar with this system, and the method of obtaining tickets for passage upon the roads of that city. We find under that system, that each person's ticket is numbered, and that they are not permitted to take a car until the number of the ticket is called out by the guard. The evidence thus taken discloses the fact that in that city, in some



instances, persons are required to wait for a period of two hours before their numbers are called and before they are permitted to pursue their journey. This system would hardly do for an American city. People evidently prefer to submit to the inconvenience of standing or being crowded, to waiting for a means of transportation.

Every street railway company should be required, so far as it is possible, to furnish reasonable means of transportation, but we know of no fixed rule that can govern this feature. We would recommend, however, that the statute be so amended as to provide that the mayor of any city or the president of the board of trustees of any village, shall, upon written petition of fifty residents thereof, proceed to investigate any complaint stated in such petition concerning the lack of proper service or the improper method of heating or lighting cars, and empowering such official to examine under oath, any person whose testimony may be deemed of importance, and to make a written requirement upon the railroad company in respect thereto, and also providing that if either party feels aggrieved at the action of the mayor or president in this respect, an appeal may be taken therefrom to the State Board of Railroad Commissioners by ten days' notice in writing, and thereupon the State board should proceed to an investigation of the subject, and its decision and determination should be final.

### Regulation of Speed.

The conditions in various localities differ so materially that it is impracticable to prescribe by the general statute, a maximum rate of speed at which cars on surface street railroads should be permitted to run. In some localities it is entirely safe and expedient to propel them at a much higher rate of speed than in others. It would seem that the common council of each city should be required to fix the maximum rate of speed at which cars should be permitted to run in various parts of the city, and if the company deem such action unreasonable, it should have the right to take an appeal therefrom to the State Board of Railroad Commissioners, whose decision thereon should be final.



### Use of Guards or Fenders.

The casualties resulting from the use of public streets by transportation companies has led us to examine into the question of whether or not it is feasible to provide each motor car with some sort of a guard or fender, and by that means render less liable to serious injury the pedestrians in the street. The evidence produced before us does not disclose that any guard or fender now in use in any locality will render accidents impossible, but we are satisfied that the use of some suitable appliances in our larger cities should be required. This is not so important in the villages or smaller cities of the State, as there the liability to injury is much less and the opportunities of avoiding an accident, much greater; but in the crowded streets of the larger cities all pedestrians are subject to more or less danger while crossing. No good reason seems to exist why appliances of some sort may not be used that will have a tendency to minimize the dangers here referred to. In some cities, they have in use a fender that catches the person struck by the car, thereby avoiding his being thrown upon the track beneath the wheels. In the city of Buffalo such an appliance is in use and seems to have proven quite successful. Similar appliances are in use in some of the other cities, and they are regarded with much favor. We would recommend that all surface street railroad companies operating cars in cities of the first and second class, by other than horse power, be required to furnish each motor car with wheel guards or fenders, or other appliances, that will have a tendency to prevent a person from going beneath the car, if struck by it.

There is another element of danger in the use of electric or cable cars upon double track roads of our larger cities. A car stopping at a street crossing to let off passengers on such a road, usually discharges them from the rear end of the car and on the side farthest from the other track. A person thus leaving the car while it is standing, often desires to cross the street at that point, and passes around the rear end of the car and upon the other track, while another car is approaching from the opposite direction, and he is very likely to be upon the track in front of it

before discovering it. Some roads have adopted a rule that while a car is thus standing, discharging or taking on passengers, no car shall pass it from an opposite direction, and where this rule is in force, it has practically avoided accidents of this character. This, or similar rule, should be enforced by statute upon all surface street railroads of the State.

### Cost of Construction.

The evidence produced before the committee upon the subject of the cost of construction of electric roads differs somewhat in different localities, and, of course, it is entirely dependent upon the kind of road and method of construction. In some places, the condition of the streets is such as to very materially enhance the cost of construction over what it would be if they were free from obstacles. Oftentimes it requires changing and relaying of sewer pipes, gas and water mains, and in some other cases the blasting of rock through the entire street, and, in other places, a large expenditure is required to overcome the effects of quicksand; but, where these conditions are wanting, a first class electric road can be constructed with a ninety-pound girder rail for about \$16,000 per mile of single track. This includes the poles, wiring and overhead construction, but does not include any pavement whatever.

Mr. John H. Moffitt, the superintendent of the Syracuse Railroad Company, testified that the cost of a first class road with asphalt pavement was \$25,200 per mile of single track, with a sandstone pavement \$28,300, and with a brick pavement \$23,600 per mile. This does not include the wiring or overhead construction. That adds a cost of from \$5,000 to \$6,000 per mile. When asked to furnish the committee a detailed statement of the cost of the track without pavement, and without overhead construction, he furnished the following figures for a single mile of double track :

Excavation. . . . .	\$2,112 00
Ballast. . . . .	4,112 20
Ties. . . . .	2,640 00



Track laying. . . . .	\$2,640 00
Ninety-pound girder rail. . . . .	11,610 00
Bonding. . . . .	1,267 00
Drainage per mile. . . . .	250 00
Rail braces. . . . .	844 80
<hr/>	
Total. . . . .	<u><u>\$25,776 00</u></u>

Or \$12,888 per mile of single track. These figures are varied but little by other witnesses for this class of road. Adding to this the cost of overhead construction would make the cost of the road, exclusive of pavement, about \$16,000 per mile, to which should be added the cost of pavement where the companies are required to do it.

**Cost of Operation.**

It is impossible to state any general price as the cost of operation, because conditions differ so materially in different localities. The testimony given before the committee shows this to be from fifty-five to eighty-five per cent. of the gross receipts. The expenses of operation in a city, the surface of which is level, is much less than where there are difficult grades to overcome. In the city of Buffalo, which is practically level, and where the conditions are perhaps as favorable as in any other city, it is said that it costs the company thirteen and sixty-eight one-hundredths cents per mile, exclusive of interest and taxes, to run its cars, and the cost of carrying the passengers is two and ninety-seven one-hundredths cents per mile, including interest and taxes.

In making this investigation, the committee has attempted to deal fairly and justly by all parties interested. It has not been able to secure exact figures and data upon all features under consideration, but has done so wherever this was practicable, and the recommendations herein contained are made after a careful consideration of all the subjects and of all interests to be affected thereby. An examination of the testimony taken and of the documents put in evidence will disclose the impracticability of providing by statute a general rule governing all features of con-



struction and operation of railways of this character. The conditions are so materially different that what would be suitable in one locality would be quite the reverse in another. All these facts have been taken into consideration by this committee in making these recommendations. If these suggestions can be incorporated in the statute governing this class of corporations it will, we believe, result in substantial benefit to the people of the State, and do no injustice to any interest involved.

All of which is respectfully submitted.

S. FREDERICK NIXON.

PHILIP GERST.

W. D. STEVENSON.

E. H. THOMPSON.

EDWIN C. STEWART.

JOHN A. HENNESSY.

Dated, February 8, 1896.

# STATE OF NEW YORK.

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No. 54.

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## IN ASSEMBLY,

FEBRUARY 12, 1896.

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### A N S W E R

OF

STATE SUPERINTENDENT OF PUBLIC INSTRUCTION TO  
RESOLUTIONS OF THE ASSEMBLY ADOPTED FEBRU-  
ARY 6, 1896, RELATING TO THE NORMAL SCHOOLS OF  
THE STATE.

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STATE OF NEW YORK:

DEPARTMENT OF PUBLIC INSTRUCTION, }  
ALBANY, *February* 11, 1896. }

HON. HAMILTON FISH,

*Speaker, Assembly Chamber, Albany, N. Y.:*

My Dear Sir.—I have the honor to herewith transmit my  
answer to the resolutions adopted by your honorable body on the  
6th instant, relating to the Normal Schools of the State.

Yours very respectfully,

CHARLES R. SKINNER,

*State Superintendent.*

## STATE OF NEW YORK:

DEPARTMENT OF PUBLIC INSTRUCTION,  
 SUPERINTENDENT'S OFFICE,  
 ALBANY, *February* 10, 1896. }

*To the Assembly:*

I have the honor to acknowledge the receipt of a resolution adopted by your honorable body on the 6th instant, as follows:

Whereas, There are bills pending before the Legislature for the expenditure of large sums of money in the erection of new normal schools and for repairs and additions to existing normal schools; and,

Whereas, It is desirable that the Legislature shall have accurate information as to the desirability of the erection of those provided for by pending legislation, and the increase of the facilities of those now existing; therefore,

Resolved, That the State Superintendent of Public Instruction be respectfully requested to inform this body what extraordinary appropriations, in his judgment, are necessary for the normal schools now in existence, and also as to the necessity of the erection of new normal schools in the State.

Replying to your request for the information referred to, I beg to say that I do not feel justified in recommending appropriations for extraordinary repairs to State Normal school buildings where the purpose of such appropriations is to make provisions for the accommodation of additional pupils.

Extraordinary appropriations may be required at times to provide better accommodations for students already in attendance, but these, as well as those for ordinary repairs, should be based upon definite plans and specifications and careful estimates of the cost of such repairs, without which I can not, and the Legislature should not, act.

No estimates or specifications of this character have been presented to me, and therefore I can not recommend appropriations for extraordinary repairs or improvements.

It is not wise to attempt to instruct too large a number of students in any one of the Normal Schools of the State. In my



opinion, it is doubtful if any one institution of this kind should provide for the instruction of more than five hundred normal students at one time, and even this number is regarded by high educational authority as very large.

The following statement will show the registered and average attendance of students (including both Normal and Practice Departments), at the various Normal Schools during the year ending July 31, 1895:

	Registered.	Average attendance.
Albany. . . . .	648	592
Brockport. . . . .	830	621
Buffalo. . . . .	934	707
Cortland. . . . .	1,003	831
Fredonia. . . . .	681	516
Geneseo. . . . .	1,180	865
New Paltz. . . . .	612	469
Oneonta. . . . .	799	636
Oswego. . . . .	842	708
Plattsburgh. . . . .	405	300
Potsdam. . . . .	922	745
	<u>8,856</u>	<u>6,990</u>

Rather than provide for enlarging the facilities of any existing school so as to enable it to accommodate more students, the Legislature should provide for the erection of other schools in sections of the State not now readily accommodated by existing schools, and not spend large sums in additions to present buildings, at a cost which exceeds the expense to the State of the construction and equipment of some of those now in existence.

Furthermore, it should be stated that one of the present Normal School buildings has been recently condemned by the Board of Health, and another will doubtless receive similar attention unless remedies are applied soon, and it seems to me far more wise for the State to prepare for remedying these conditions before making large appropriations for extraordinary repairs to buildings for the purpose of accommodating additional students.

In view of these existing conditions, and also in view of the fact that the Legislature of 1895 provided for the erection of an additional Normal School building (which appropriation was not made upon the recommendation of this department, but to which the State in good faith now stands committed), the work of constructing which has not yet been entered upon, I do not feel that I can, at this time, advise either the establishment of any new Normal Schools, or appropriations for extraordinary repairs or additions to those now in existence, further than to place those now in the condition herein referred to in a suitable sanitary condition.

I have the honor to remain,

Your obedient servant,

CHARLES R. SKINNER,

*State Superintendent.*

I N D E X

TO

ASSEMBLY DOCUMENTS.

1896.

---

A.

	No.
Assembly, list of members.....	1
Attorney-General, report of the.....	6
Aid Society, report of the Children's.....	24
Answer of State Superintendent of Public Instruction rela- tive to the normal schools of the State.....	54
Agricultural Society, report of the State.....	69
Agricultural Experiment Station, Geneva, report of the New York . . . . .	70
American Society for the Prevention of Cruelty to Animals, report of the.....	72
Agriculture, report of the Department of.....	86
Agricultural Experiment Station at Cornell University, re- port of the . . . . .	90



## B.

	No.
Burnham Industrial Farm, report of the.....	4
Blind, report of the New York Institution for the.....	5
Benevolent Institute, report of the Wyoming.....	10
Binghamton State Hospital, report of the trustees of the....	16
Board of Commissioners of Pilots, report of the.....	18
Bonds, etc., resolution relative to interest-bearing.....	27
Building Commission of the Eastern New York Reformatory, report of the.....	34
Board of Health, report of the State.....	55
Banks, report of State Superintendent of, relative to foreign mortgage, loan or investment companies.....	63
Banks, report of State Superintendent of, relative to co-opera- tive savings and loan associations.....	64
Bureau of Statistics of Labor, report of the.....	73
Bronx River Valley Sewer Commission, report of the.....	77

## C.

Comptroller, report of the.....	3
Central New York Institution for Deaf-Mutes, report of the..	13
Commissioners of Pilots, report of the Board of.....	18
Commission, report of the Palisades.....	19
Commission to recommend changes in Legislative Procedure, report of the.....	20
Committees of the Assembly, list of Standing.....	22
Children's Aid Society, report of the.....	24
Custodial Asylum for Feeble-Minded Women, Newark, report of trustees of New York State.....	30
Collins Farm State Homeopathic Hospital, report of the....	31

	No.
Communication from Governor calling attention to economy in the appropriation of public moneys.....	33
Cooper Union for the Advancement of Science and Art, report of the.....	36
Cruelty to Children, report of New York State Society for Prevention of.....	37
Communication from Comptroller, relative to expenses of the Volunteer Life Savings Corps.....	38
Commissioners of the State Reservation at Niagara, report of the.....	40
Canals of the State, financial report of the Comptroller relat- ing to the.....	41
Commissioners of the Code Revision, report of the.....	42
Custodial Asylum, report of managers of Rome State.....	43
Commissioners appointed to propose legislation for cities of the second class, report of the.....	44
Commissioners appointed to propose legislation for cities of the third class, report of the.....	45
Commissioners of Fisheries, report of the.....	48
Catholic Children of Buffalo, report of the Society for the Pro- tection of.....	49
Commission to propose legislation for cities of the third class, minority report of the.....	51
Civil Service Commissioners, report of the.....	52
Committee relative to the municipal ownership of the street and elevated railroads of the various cities of the State, report of the.....	53
Conrad Poppenhusen Association, report of the.....	61

	No.
Co-operative Savings and Loan Associations, report of the State Superintendent of Banks relative to.....	64
Commissioners of Quarantine and Health Officers, report of the .....	65
Comptroller on the Expenditures of the Canals, report of the, Cities Committee on the management of the New York and Brooklyn Bridge, report of the.....	81
Charities and Corrections of Brooklyn, report of the Cities Committee on the Department of.....	82
Commissioners of Statutory Revision, report of the.....	83
Commissioners in Lunacy, report of the State.....	87
	93

## D.

Deaf-Mutes, report of the Central New York Institution for..	13
Deaf-Mutes, report of the Northern New York Institution for,	59
Depredations of Timber in the Forest Preserve, report of the Special Committee to investigate the.....	60
Department of Charities and Corrections of Brooklyn, report of the Cities Committee on the.....	83
Department of Agriculture, report of the.....	86
Deaf-Mutes, report of the trustees of the Institution for the Improved Instruction of.....	91

## E.

Eastern New York Reformatory, report of the Building Com- missioners of the.....	34
Expenditures of the Canals, report of the Comptroller on the .....	81
Episcopal Fund of the Diocese of Long Island, report of Trus- tees of the.....	99



## F.

	No.
Feeble-Minded Children, report of Trustees of Syracuse, State Institute for. . . . .	17
Female Labor in the city of New York, report of Special Com- mittee to Investigate the Condition of. . . . .	29
Feeble-Minded Women, Newark, report of Trustees of New York State Custodial Asylum for. . . . .	30
Financial Report of the Comptroller relative to the Canals of the State. . . . .	41
Fisheries, report of the Commissioners of. . . . .	48
Foreign Mortgage, Loan or Investment Companies, report of State Superintendent of Banks relative to. . . . .	63
Factory Inspector, report of the. . . . .	68
Fish, Game and Forest Commission, report of the. . . . .	96

## G.

Governor's Message. . . . .	2
Good Roads, report of Special Committee on. . . . .	26
George C. Appell, City Judge of Mount Vernon, report of Com- mittee relative to charges preferred against. . . . .	32

## H.

Homeopathic Hospital, report of the Middletown State. . . . .	15
Homeopathic Hospital, report of Collins Farm State. . . . .	31
House of Refuge for Women, report of Managers of Western. .	35
Herkimer Monument Commissioners, report of the. . . . .	57

## I.

Industrial Farm, report of the Burnham. . . . .	4
Institution for the Blind, report of the New York. . . . .	5

	No.
Improving the Commercial and Sanitary Condition of New-town Creek, Long Island, report of Committee relative to..	8
Institution for Deaf-Mutes, report of the Central New York..	13
Institution for Feeble-Minded Children, report of Trustees of Syracuse State.....	17
Interest-bearing Bonds, etc., resolution relative to.....	27
Inebriates' Home, Fort Hamilton, report of President of the,	47
Institution for Deaf Mutes, report of the Northern New York..	59
Insurance Department, report of the Superintendent of the..	71
Improved Instruction of Deaf-Mutes, report of the Trustees of the Institution for the.....	91
Industrial School at Rochester, report of the State.....	94
Institution for the Instruction of Deaf and Dumb, report of the .....	95

## J.

Juvenile Delinquents in the city of New York, report of Managers of the Society for the Reformation of.....	46
---	----

## L.

List of Members of Assembly.....	1
Legislative Procedure, report of the Commission to recommend changes in.....	20
Life Saving Corps, report of the Volunteer.....	21
List of Standing Committees of the Assembly.....	22
Library, Geneseo, report of Trustees of Wadsworth.....	39
Legislation for cities of the second class, report of the Commissioners appointed to propose.....	44

## M.

	No.
Legislation for cities of the third class, report of the Commission appointed to propose.....	45
Legislation for cities of the third class, minority report of the Commission to propose.....	51
Members of Assembly, list of.....	1
Message, Governor's.....	2
Middletown State Homeopathic Hospital, report of the.....	15
Minority report of the Commissioners to propose legislation for cities of the third class.....	51
Municipal ownership of the street and elevated railroads of the various cities of the State, report of the committee relative to the.....	53
Monument Commissioners, report of the Herkimer.....	57
Message from the Governor, relative to the public school system of the city of New York.....	75
Management of the New York and Brooklyn Bridge, report of the Cities Committee on the.....	82

## N.

New York Institution for the Blind, report of the.....	5
New York State Soldiers and Sailors' Home, report of the..	7
New York Institution for Deaf Mutes, report of the Central..	13
New York State Home for Aged and Dependent Veterans and his Wife, report of Managers of the.....	23
New York State Reformatory at Elmira, report of Managers of the.....	25
New York State Custodial Asylum for Feeble-Minded Women, Newark, report of Trustees of.....	30



	No.
New York Society for the Prevention of Cruelty to Children, report of the.....	37
New York State School for the Blind, Batavia, report of the Managers of the.....	50
Normal Schools of the State, answer of State Superintendent of Public Instruction, relative to the.....	54
Northern New York Institution for Deaf-Mutes, report of the .....	59
New York Agricultural Experiment Station, Geneva, report of the.....	70
New York Hospital, report of the Society of the.....	78
New York Institution for the Instruction of Deaf and Dumb, report of the.....	95

## O.

Orphan and Destitute Indian Children, report of Managers of Thomas Asylum for.....	14
Onondaga Salt Springs, report of Superintendent of.....	28

## P.

Public Works, report of the Superintendent of.....	9
Pilots, report of the Board of Commissioners of.....	18
Palisades Commission, report of the.....	19
Prevention of Cruelty to Children, report of the New York Society for.....	37
Prevention of Cruelty to Animals, report of the American Society for.....	72
Public School System of the city of New York, Message from the Governor, relative to the.....	75
Pardons, Reprieves and Commutations of Sentence granted by the Governor, statement of.....	76

## Q.

	No.
Quarantine, report of the Commissioners of.....	65

## R.

## Reports:

Adjutant-General .....	6
American Society for the Prevention of Cruelty to Animals. ....	72
Agricultural Experiment Station at Cornell University..	90
Agricultural Experiment Station, Geneva.....	70
Burnham Industrial Farm.....	4
Binghamton State Hospital.....	16
Board of Commissioners of Pilots.....	18
Building Commission of the Eastern New York Reforma- tory. ....	34
Bureau of Statistics of Labor.....	73
Bronx River Valley Sewer Commission.....	77
Comptroller .....	3
Central New York Institution for Deaf-Mutes.....	13
Commission to recommend changes in Legislative Pro- cedure .....	20
Children's Aid Society.....	24
Collins Farm State Homeopathic Hospital.....	31
Cooper Union for the Advancement of Science and Art..	36
Commissioners of the State Reservation at Niagara.....	40
Commissioners of the Code Revision.....	42
Commission appointed to propose legislation for cities of the second class.....	44
Commission appointed to propose legislation for cities of the third class.....	45
Commissioners of Fisheries.....	48

## Reports:

	No.
Civil Service Commissioners.....	52
Committee relative to the municipal ownership of the street and elevated railroad of the various cities of the State.. ..	53
Conrad Poppenhusen Association.....	61
Commissioners of Quarantine and Health Officers.....	66
Comptroller on the Expenditures of the Canals.....	81
Cities Committee on the Management of the New York and Brooklyn Bridge.....	82
Cities Committee on the Department of Charities and Cor- rection of Brooklyn.....	83
Commissioners of Statutory Revision.....	87
Department of Agriculture.....	86
Episcopal Fund of the Diocese of Long Island.....	99
Financial Report of the Comptroller, relative to the canals of the State.....	41
Factory Inspector. . . . .	68
Fish, Game and Forest Commission.....	96
Good Roads, Special Committee on.....	26
Herkimer Monument Commissioners.....	57
Inebriates' Home, Fort Hamilton.....	47
Institution for the Improved Instruction of Deaf-Mutes,	91
Middletown State Homeopathic Hospital.....	15
New York Institution for the Blind.....	5
New York State Soldiers and Sailors' Home.....	7
New York State Home for Aged and Dependent Veteran and his Wife.....	23
New York State Reformatory at Elmira.....	25



## Reports:

	No.
New York State Custodial Asylum for Feeble-Minded Women, Newark.....	30
New York Society for the Prevention of Cruelty to Children. . . . .	37
New York State School for the Blind, Batavia.....	50
Northern New York Institution for Deaf-Mutes.....	59
New York Hospital. . . . .	78
New York Institution for the Instruction of Deaf and Dumb. . . . .	95
Onondaga Salt Springs. . . . .	28
Palisades Commission.....	19
Superintendent of Public Works.....	9
St. Lawrence State Hospital.....	12
Syracuse State Institute for Feeble-Minded Children...	17
Special Committee to investigate the condition of female labor in the city of New York..... 29,	97
State Custodial Asylum, Rome.....	43
Society for the Reformation of Juvenile Delinquents in the city of New York.....	46
Society for the Protection of Catholic Children of Buffalo,	49
State Board of Health.....	55
State Engineer and Surveyor, pursuant to chap. 625, Laws 1894. . . . .	56
Superintendent of State Prisons.....	58
Special Committee to Investigate the Depredations of Timber in the Forest Preserve..... 60,	67
State Engineer and Surveyor.....	62
State Superintendent of Banks, relative to Co-operative Savings and Loan Associations.....	64

## Reports:

	No.
State Superintendent of Banks, relative to Foreign Mortgage, Loan or Investment Companies.....	63
State Historian. . . . .	65
State Agricultural Society. . . . .	69
Superintendent of the Insurance Department.....	71
Sailors' Snug Harbor.....	74
Scenic and Historic Places and Objects in the State of New York. . . . .	79
Secretary of State on Statistics of Crime.....	80
Secretary of State on Statistics of Pauperism.....	84
State Weather Service and Meteorological Bureau.....	85
Sub-Committee of Joint Committee of Senate and Assembly to investigate the State Departments, relative to Civil Service.....	88, 89
Superintendent of Public Works on Trade and Tonnage on the Canals.....	92
State Commissioners in Lunacy.....	93
State Industrial School at Rochester.....	94
Special Committee appointed to investigate the question of municipal ownership of street and elevated railroads of the various cities of the State.....	98
Thomas Asylum for Orphan and Destitute Indian Children. . . . .	14
Volunteer Life Saving Corps.....	21
Wyoming Benevolent Institute.....	10
Willard State Hospital.....	11
Western House of Refuge for Women.....	35
Wadsworth Library, Geneseo.....	39

## S.

	No.
Soldiers and Sailors' Home, report of the New York State..	7
Superintendent of Public Works, report of the.....	9
State Hospital, report of the Trustees of the Willard.....	11
St. Lawrence State Hospital, report of Managers of the.....	12
State Homeopathic Hospital, report of the Middletown.....	15
State Hospital, report of Trustees of the Binghamton.....	16
Syracuse State Institute for Feeble-Minded Children, report of Trustees of the.....	17
Standing Committees of the Assembly, list of.....	22
State Home for Aged and Dependent Veteran and his Wife, report of Managers of the New York.....	23
State Reformatory at Elmira, report of Managers of New York. . . . .	25
Special Committee on Good Roads, report of.....	26
Superintendent of Onondaga Salt Springs, report of the.....	28
Special Committee to investigate the condition of female labor in the city of New York, report of the..... 29,	97
State Homeopathic Hospital, report of Collins Farm.....	31
Society for Prevention of Cruelty to Children, report of the New York. . . . .	37
State Reservation at Niagara, report of the Commissioners of the. . . . .	40
State Custodial Asylum, report of Managers, of Rome.....	43
Society for the Reformation of Juvenile Delinquents in the city of New York, report of Managers of the.....	46
Society for the Protection of Catholic Children of Buffalo, report of the.....	49
State School for the Blind, Batavia, report of the Managers of the New York. . . . .	50



	No.
State Superintendent of Public Instruction, relative to the Normal Schools of the State, answer of.....	54
State Board of Health, report of the.....	55
State Engineer and Surveyor, report of the, pursuant to chap. 625, Laws of 1894. . . . .	56
Superintendent of State Prisons, report of the.....	58
Special Committee to investigate the depredations of tim- ber in the forest preserve, report of the..... 60,	67
State Engineer and Surveyor, report of the.....	62
State Superintendent of Banks, report of the, relative to Foreign Mortgage, Loan or Investment Companies.....	63
State Superintendent of Banks, report of the relative to Co- operative Savings and Loan Associations.....	64
State Historian, report of the.....	65
State Agricultural Society, report of the.....	69
Superintendent of the Insurance Department, report of the..	71
Society for the Prevention of Cruelty to Animals, report of the American. . . . .	72
Statistics of Labor, report of Bureau of.....	73
Sailors' Snug Harbor, report of the.....	74
Statement of Pardons, Reprieves and Commutations of Sen- tence granted by the Governor.....	76
Sewer Commission, report of the Bronx River Valley.....	77
Society of the New York Hospital, report of the.....	78
Scenic and Historic Places and Objects in the State of New York, report of the Trustees of the.....	79
Secretary of State on Statistics of Crime, report of the.....	80
Secretary of State on Statistics of Pauperism, report of the..	84

	No.
State Weather Service and Meteorological Bureau, report of the. . . . .	85
Statutory Revision, report of the Commissioners of the. . . . .	87
Sub-Committee of Joint Committee of Senate and Assembly to investigate the State Departments, relative to Civil Service, report of the. . . . .	88, 89
Superintendent of Public Works on Trade and Tonnage on the Canals, report of the. . . . .	92
State Commissioners in Lunacy, report of the. . . . .	93
State Industrial School at Rochester, report of the. . . . .	94
Special Committee appointed to investigate the question of municipal ownership of street and elevated railroads of the various cities of the State, report and testimony of. . . . .	98

#### T.

Thomas Asylum for Orphan and Destitute Indian Children, report of Managers of the. . . . .	14
Trade and Tonnage on the Canals, report of the Superintendent of Public Works on. . . . .	92

#### V.

Volunteer Life Saving Corps, report of the. . . . .	21
Volunteer Life Saving Corps, Communication from Comptroller, relative to expenses of the. . . . .	38

#### W.

Wyoming Benevolent Institute, report of the. . . . .	10
Willard State Hospital, report of the Trustees of the. . . . .	11
Western House of Refuge for Women, report of Managers of, . . . . .	35
Wadsworth Library, Geneseo, report of Trustees of. . . . .	39







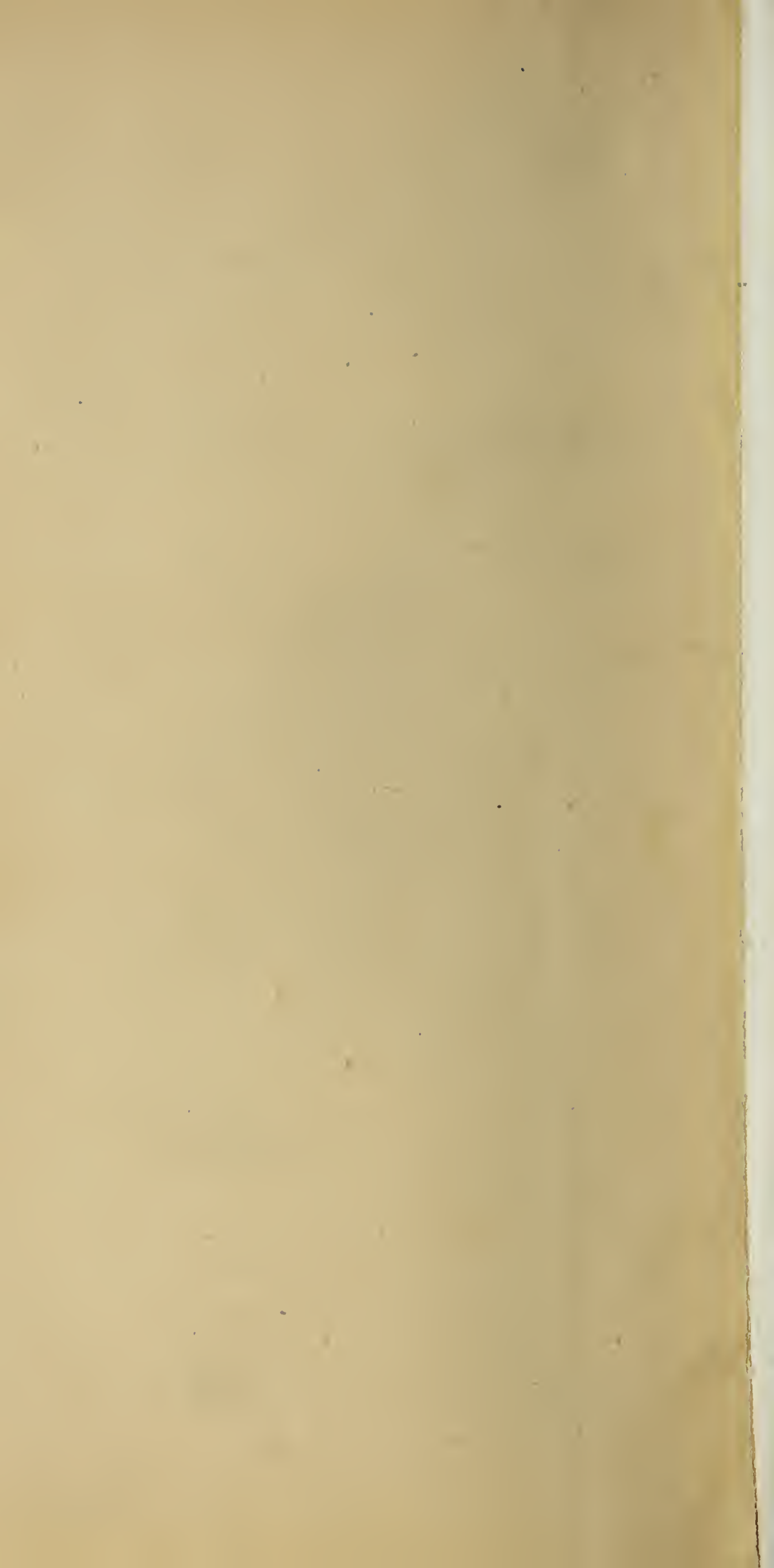














UNIVERSITY OF CHICAGO



STATEMENT OF RECEIPTS AND PAYMENTS IN EACH YEAR ON ACCOUNT OF ALL THE STATE CANALS UP TO SEPTEMBER 30, 1895, INCLUSIVE.

No. 57.

YEARS	Lease	Program cost	Disposal cost	Avail of funds	Avail of canal interest	Temporary fund	Total	Tax	Vendor duty	Sell duty	Steamboat tax	Sales of land	Interest on deposits and investments	Rent of water power	General fund for deposits	Expenditures for B. H. canal and C. Foster	Champlain canal for depositions	Miscellaneous	Total
1877	\$200,000 00	800 00	60 00	\$200,000 00			\$200,000 00			\$2,926 25	\$16,309 93	\$2,926 25	\$1,537 40	\$800 00	\$2,926 25	\$1,537 40	\$1,388 85	\$2,926 25	\$294,197 62
1878	200,000 00	800 00	60 00	200,000 00			200,000 00			2,926 25	16,309 93	2,926 25	1,537 40	800 00	2,926 25	1,537 40	1,388 85	2,926 25	294,197 62
1879	200,000 00	800 00	60 00	200,000 00			200,000 00			2,926 25	16,309 93	2,926 25	1,537 40	800 00	2,926 25	1,537 40	1,388 85	2,926 25	294,197 62
1880	200,000 00	800 00	60 00	200,000 00			200,000 00			2,926 25	16,309 93	2,926 25	1,537 40	800 00	2,926 25	1,537 40	1,388 85	2,926 25	294,197 62
1881	200,000 00	800 00	60 00	200,000 00			200,000 00			2,926 25	16,309 93	2,926 25	1,537 40	800 00	2,926 25	1,537 40	1,388 85	2,926 25	294,197 62
1882	200,000 00	800 00	60 00	200,000 00			200,000 00			2,926 25	16,309 93	2,926 25	1,537 40	800 00	2,926 25	1,537 40	1,388 85	2,926 25	294,197 62
1883	200,000 00	800 00	60 00	200,000 00			200,000 00			2,926 25	16,309 93	2,926 25	1,537 40	800 00	2,926 25	1,537 40	1,388 85	2,926 25	294,197 62
1884	200,000 00	800 00	60 00	200,000 00			200,000 00			2,926 25	16,309 93	2,926 25	1,537 40	800 00	2,926 25	1,537 40	1,388 85	2,926 25	294,197 62
1885	200,000 00	800 00	60 00	200,000 00			200,000 00			2,926 25	16,309 93	2,926 25	1,537 40	800 00	2,926 25	1,537 40	1,388 85	2,926 25	294,197 62
1886	200,000 00	800 00	60 00	200,000 00			200,000 00			2,926 25	16,309 93	2,926 25	1,537 40	800 00	2,926 25	1,537 40	1,388 85	2,926 25	294,197 62
1887	200,000 00	800 00	60 00	200,000 00			200,000 00			2,926 25	16,309 93	2,926 25	1,537 40	800 00	2,926 25	1,537 40	1,388 85	2,926 25	294,197 62
1888	200,000 00	800 00	60 00	200,000 00			200,000 00			2,926 25	16,309 93	2,926 25	1,537 40	800 00	2,926 25	1,537 40	1,388 85	2,926 25	294,197 62
1889	200,000 00	800 00	60 00	200,000 00			200,000 00			2,926 25	16,309 93	2,926 25	1,537 40	800 00	2,926 25	1,537 40	1,388 85	2,926 25	294,197 62
1890	200,000 00	800 00	60 00	200,000 00			200,000 00			2,926 25	16,309 93	2,926 25	1,537 40	800 00	2,926 25	1,537 40	1,388 85	2,926 25	294,197 62
1891	200,000 00	800 00	60 00	200,000 00			200,000 00			2,926 25	16,309 93	2,926 25	1,537 40	800 00	2,926 25	1,537 40	1,388 85	2,926 25	294,197 62
1892	200,000 00	800 00	60 00	200,000 00			200,000 00			2,926 25	16,309 93	2,926 25	1,537 40	800 00	2,926 25	1,537 40	1,388 85	2,926 25	294,197 62
1893	200,000 00	800 00	60 00	200,000 00			200,000 00			2,926 25	16,309 93	2,926 25	1,537 40	800 00	2,926 25	1,537 40	1,388 85	2,926 25	294,197 62
1894	200,000 00	800 00	60 00	200,000 00			200,000 00			2,926 25	16,309 93	2,926 25	1,537 40	800 00	2,926 25	1,537 40	1,388 85	2,926 25	294,197 62
1895	200,000 00	800 00	60 00	200,000 00			200,000 00			2,926 25	16,309 93	2,926 25	1,537 40	800 00	2,926 25	1,537 40	1,388 85	2,926 25	294,197 62
1896	200,000 00	800 00	60 00	200,000 00			200,000 00			2,926 25	16,309 93	2,926 25	1,537 40	800 00	2,926 25	1,537 40	1,388 85	2,926 25	294,197 62
1897	200,000 00	800 00	60 00	200,000 00			200,000 00			2,926 25	16,309 93	2,926 25	1,537 40	800 00	2,926 25	1,537 40	1,388 85	2,926 25	294,197 62
1898	200,000 00	800 00	60 00	200,000 00			200,000 00			2,926 25	16,309 93	2,926 25	1,537 40	800 00	2,926 25	1,537 40	1,388 85	2,926 25	294,197 62
1899	200,000 00	800 00	60 00	200,000 00			200,000 00			2,926 25	16,309 93	2,926 25	1,537 40	800 00	2,926 25	1,537 40	1,388 85	2,926 25	294,197 62
1900	200,000 00	800 00	60 00	200,000 00			200,000 00			2,926 25	16,309 93	2,926 25	1,537 40	800 00	2,926 25	1,537 40	1,388 85	2,926 25	294,197 62
1901	200,000 00	800 00	60 00	200,000 00			200,000 00			2,926 25	16,309 93	2,926 25	1,537 40	800 00	2,926 25	1,537 40	1,388 85	2,926 25	294,197 62
1902	200,000 00	800 00	60 00	200,000 00			200,000 00			2,926 25	16,309 93	2,926 25	1,537 40	800 00	2,926 25	1,537 40	1,388 85	2,926 25	294,197 62
1903	200,000 00	800 00	60 00	200,000 00			200,000 00			2,926 25	16,309 93	2,926 25	1,537 40	800 00	2,926 25	1,537 40	1,388 85	2,926 25	294,197 62
1904	200,000 00	800 00	60 00	200,000 00			200,000 00			2,926 25	16,309 93	2,926 25	1,537 40	800 00	2,926 25	1,537 40	1,388 85	2,926 25	294,197 62
1905	200,000 00	800 00	60 00	200,000 00			200,000 00			2,926 25	16,309 93	2,926 25	1,537 40	800 00	2,926 25	1,537 40	1,388 85	2,926 25	294,197 62
1906	200,000 00	800 00	60 00	200,000 00			200,000 00			2,926 25	16,309 93	2,926 25	1,537 40	800 00	2,926 25	1,537 40	1,388 85	2,926 25	294,197 62
1907	200,000 00	800 00	60 00	200,000 00			200,000 00			2,926 25	16,309 93	2,926 25	1,537 40	800 00	2,926 25	1,537 40	1,388 85	2,926 25	294,197 62
1908	200,000 00	800 00	60 00	200,000 00			200,000 00			2,926 25	16,309 93	2,926 25	1,537 40	800 00	2,926 25	1,537 40	1,388 85	2,926 25	294,197 62
1909	200,000 00	800 00	60 00	200,000 00			200,000 00			2,926 25	16,309 93	2,926 25	1,537 40	800 00	2,926 25	1,537 40	1,388 85	2,926 25	294,197 62
1910	200,000 00	800 00	60 00	200,000 00			200,000 00			2,926 25	16,309 93	2,926 25	1,537 40	800 00	2,926 25	1,537 40	1,388 85	2,926 25	294,197 62
1911	200,000 00	800 00	60 00	200,000 00			200,000 00			2,926 25	16,309 93	2,926 25	1,537 40	800 00	2,926 25	1,537 40	1,388 85	2,926 25	294,197 62
1912	200,000 00	800 00	60 00	200,000 00			200,000 00			2,926 25	16,309 93	2,926 25	1,537 40	800 00	2,926 25	1,537 40	1,388 85	2,926 25	294,197 62
1913	200,000 00	800 00	60 00	200,000 00			200,000 00			2,926 25	16,309 93	2,926 25	1,537 40	800 00	2,926 25	1,537 40	1,388 85	2,926 25	294,197 62
1914	200,000 00	800 00	60 00	200,000 00			200,000 00			2,926 25	16,309 93	2,926 25	1,537 40	800 00	2,926 25	1,537 40	1,388 85	2,926 25	294,197 62
1915	200,000 00	800 00	60 00	200,000 00			200,000 00			2,926 25	16,309 93	2,926 25	1,537 40	800 00	2,926 25	1,537 40	1,388 85	2,926 25	294,197 62
1916	200,000 00	800 00	60 00	200,000 00			200,000 00			2,926 25	16,309 93	2,926 25	1,537 40	800 00	2,926 25	1,537 40	1,388 85	2,926 25	294,197 62
1917	200,000 00	800 00	60 00	200,000 00			200,000 00			2,926 25	16,309 93	2,926 25	1,537 40	800 00	2,926 25	1,537 40	1,388 85	2,926 25	294,197 62
1918	200,000 00	800 00	60 00	200,000 00			200,000 00			2,926 25	16,309 93	2,926 25	1,537 40	800 00	2,926 25	1,537 40	1,388 85	2,926 25	294,197 62
1919	200,000 00	800 00	60 00	200,000 00			200,000 00			2,926 25	16,309 93	2,926 25	1,537 40	800 00	2,926 25	1,537 40	1,388 85	2,926 25	294,197 62
1920	200,000 00	800 00	60 00	200,000 00			200,000 00			2,926 25	16,309 93	2,926 25	1,537 40	800 00	2,926 25	1,537 40	1,388 85	2,926 25	294,197 62
1921	200,000 00	800 00	60 00	200,000 00			200,000 00			2,926 25	16,309 93	2,926 25	1,537 40	800 00	2,926 25	1,537 40	1,388 85	2,926 25	294,197 62
1922	200,000 00	800 00	60 00	200,000 00			200,000 00			2,926 25	16,309 93	2,926 25	1,537 40	800 00	2,926 25	1,537 40	1,388 85	2,926 25	294,197 62
1923	200,000 00	800 00	60 00	200,000 00			200,000 00			2,926 25	16,309 93	2,926 25	1,537 40	800 00	2,926 25	1,537 40	1,388 85	2,926 25	294,197 62
1924	200,000 00	800 00	60 00	200,000 00			200,000 00			2,926 25	16,309 93	2,926 25	1,537 40	800 00	2,926 25	1,537 40	1,388 85	2,926 25	294,197 62
1925	200,000 00	800 00	60 00	200,000 00			200,000 00			2,926 25	16,309 93	2,926 25	1,537 40	800 00	2,926 25	1,537 40	1,388 85	2,926 25	294,197 62
1926	200,000 00	800 00	60 00	200,000 00			200,000 00			2,926 25	16,309 93	2,926 25	1,537 40	800 00	2,926 25	1,537 40	1,388 85	2,926 25	294,197 62
1927	200,000 00	800 00	60 00	200,000 00			200,000 00			2,926 25	16,309 93	2,926 25	1,537 40	800 00	2,926 25	1,537 40	1,388 85	2,926 25	294,197 62
1928	200,000 00	800 00	60 00	200,000 00			200,000 00			2,926 25	16,309 93	2,926 25	1,537 40	800 00	2,926 25	1,537 40	1,388 85	2,926 25	294,197 62
1929	200,000 00	800 00	60 00	200,000 00			200,000 00			2,926 25	16,309 93	2,926 25	1,537 40	800 00	2,926 25	1,537 40	1,388 85	2,926 25	294,197 62
1930	200,000 00	800 00	60 00	200,000 00			200,000 00			2,926 25	16,309 93	2,926 25	1,537 40	800 00	2,926 25	1,537 40	1,388 85	2,926	

PAID.

YEARS.	Principal of loans made.	Premiums on purchase and investment of stocks.	Temporary loans.	Interest on loans.	Grant Commission and participation of Public Works.	Severance and other Lock Navigation Canal Company.	Black River canal for Erie canal feeder.	General fund.	Deductions of canal and improvement.	Purchase of land and fixtures.	REPAIRS OF CANALS.	Expenditures for laborers and laborers.	Warehouse.	Miscellaneous.	Total.				
1877.	200,000 00	800 00	60 00	200,060 00	200,000 00		200,060 00			\$2,926 25	\$16,309 75	\$2,926 25	\$1,537 40	\$800 00	\$2,926 25	\$1,537 40	\$1,388 85	\$2,926 25	\$294,197 62
1878.	200,000 00	800 00	60 00	200,060 00	200,000 00		200,060 00			\$2,926 25	\$16,309 75	\$2,926 25	\$1,537 40	\$800 00	\$2,926 25	\$1,537 40	\$1,388 85	\$2,926 25	\$294,197 62
1879.	200,000 00	800 00	60 00	200,060 00	200,000 00		200,060 00			\$2,926 25	\$16,309 75	\$2,926 25	\$1,537 40	\$800 00	\$2,926 25	\$1,537 40	\$1,388 85	\$2,926 25	\$294,197 62
1880.	200,000 00	800 00	60 00	200,060 00	200,000 00		200,060 00			\$2,926 25	\$16,309 75	\$2,926 25	\$1,537 40	\$800 00	\$2,926 25	\$1,537 40	\$1,388 85	\$2,926 25	\$294,197 62
1881.	200,000 00	800 00	60 00	200,060 00	200,000 00		200,060 00			\$2,926 25	\$16,309 75	\$2,926 25	\$1,537 40	\$800 00	\$2,926 25	\$1,537 40	\$1,388 85	\$2,926 25	\$294,197 62
1882.	200,000 00	800 00	60 00	200,060 00	200,000 00		200,060 00			\$2,926 25	\$16,309 75	\$2,926 25	\$1,537 40	\$800 00	\$2,926 25	\$1,537 40	\$1,388 85	\$2,926 25	\$294,197 62
1883.	200,000 00	800 00	60 00	200,060 00	200,000 00		200,060 00			\$2,926 25	\$16,309 75	\$2,926 25	\$1,537 40	\$800 00	\$2,926 25	\$1,537 40	\$1,388 85	\$2,926 25	\$294,197 62
1884.	200,000 00	800 00	60 00	200,060 00	200,000 00		200,060 00			\$2,926 25	\$16,309 75	\$2,926 25	\$1,537 40	\$800 00	\$2,926 25	\$1,537 40	\$1,388 85	\$2,926 25	\$294,197 62
1885.	200,000 00	800 00	60 00	200,060 00	200,000 00		200,060 00			\$2,926 25	\$16,309 75	\$2,926 25	\$1,537 40	\$800 00	\$2,926 25	\$1,537 40	\$1,388 85	\$2,926 25	\$294,197 62
1886.	200,000 00	800 00	60 00	200,060 00	200,000 00		200,060 00			\$2,926 25	\$16,309 75	\$2,926 25	\$1,537 40	\$800 00	\$2,926 25	\$1,537 40	\$1,388 85	\$2,926 25	\$294,197 62
1887.	200,000 00	800 00	60 00	200,060 00	200,000 00		200,060 00			\$2,926 25	\$16,309 75	\$2,926 25	\$1,537 40	\$800 00	\$2,926 25	\$1,537 40	\$1,388 85	\$2,926 25	\$294,197 62
1888.	200,000 00	800 00	60 00	200,060 00	200,000 00		200,060 00			\$2,926 25	\$16,309 75	\$2,926 25	\$1,537 40	\$800 00	\$2,926 25	\$1,537 40	\$1,388 85	\$2,926 25	\$294,197 62
1889.	200,000 00	800 00	60 00	200,060 00	200,000 00		200,060 00			\$2,926 25	\$16,309 75	\$2,926 25	\$1,537 40	\$800 00	\$2,926 25	\$1,537 40	\$1,388 85	\$2,926 25	\$294,197 62
1890.	200,000 00	800 00	60 00	200,060 00	200,000 00		200,060 00			\$2,926 25	\$16,309 75	\$2,926 25	\$1,537 40	\$800 00	\$2,926 25	\$1,537 40	\$1,388 85	\$2,926 25	\$294,197 62
1891.	200,000 00	800 00	60 00	200,060 00	200,000 00		200,060 00			\$2,926 25	\$16,309 75	\$2,926 25	\$1,537 40	\$800 00	\$2,926 25	\$1,537 40	\$1,388 85	\$2,926 25	\$294,197 62
1892.	200,000 00	800 00	60 00	200,060 00	200,000 00		200,060 00			\$2,926 25	\$16,309 75	\$2,926 25	\$1,537 40	\$800 00	\$2,926 25	\$1,537 40	\$1,388 85	\$2,926 25	\$294,197 62
1893.	200,000 00	800 00	60 00	200,060 00	200,000 00		200,060 00			\$2,926 25	\$16,309 75	\$2,926 25	\$1,537 40	\$800 00	\$2,926 25	\$1,537 40	\$1,388 85	\$2,926 25	\$294,197 62
1894.	200,000 00	800 00	60 00	200,060 00	200,000 00		200,060 00			\$2,926 25	\$16,309 75	\$2,926 25	\$1,537 40	\$800 00	\$2,926 25	\$1,537 40	\$1,388 85	\$2,926 25	\$294,197 62
1895.	200,000 00	800 00	60 00	200,060 00	200,000 00		200,060 00			\$2,926 25	\$16,309 75	\$2,926 25	\$1,537 40	\$800 00	\$2,926 25	\$1,537 40	\$1,388 85	\$2,926 25	\$294,197 62
Total.	\$84,726,581 81	\$2,782,466 91	\$300,060 32	\$85,015,145 45	\$1,312,380 75	\$2,506,407 00	\$134,837,814 20	\$62,374,275 30	\$7,552,080 05	\$2,053,628 06	\$74,500 39	\$290,318 15	\$8,020,585 60	\$134,530 52	\$1,380,408 88	\$290,097 66	\$10,567,208 84	\$297,411,225 20	

There is due to reimburse the advances for over-payments on the canals, viz:

On account of the Erie and Champlain canals.

Aggregate.

Balance on hand September 30, 1895.

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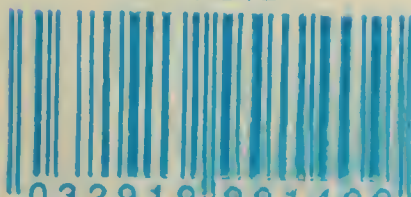
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